

The Gazette of India



PUBLISHED BY AUTHORITY

No. 5] NEW DELHI, SATURDAY, FEBRUARY 2, 1952

NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 30th January, 1952 :—

Issue No.	No. and Date	Issued by	Subject
20	S. R. O. 109, dated the 18th January 1952.	Ministry of Law	List of valid nominations for election in certain Constituencies to the House of the People from Uttar Pradesh.
21	S. R. O. 110, dated the 19th January 1952.	Ministry of Commerce and Industry.	Permission to proprietor of newspapers to publish extra pages in any one week from 21st January to 24th February 1952.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

New Delhi, the 24th January 1952.

S.R.O. 155.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government hereby exempts the advance party under Havildar Chhatra Bahadur Chhetri, proceeding from Raxaul to Calcutta via Mokameh Ghat in connexion with the marriage of the daughter of His Majesty the King of Nepal, from the operation of the prohibitions and directions contained in sections 6, 10 and 13 of the said Act in respect of seven 303 short Lee Enfield Rifles together with one hundred and forty rounds of ammunition.

[No. 9/3/52-Police(I).]

New Delhi, the 1st February 1952

S.R.O. 156.—In pursuance of clause (1) of article 239 and clause (1) of article 243 of the Constitution, the President hereby directs that the Chief Commissioners of Ajmer, Bhopal, Bilaspur, Coorg, Delhi, Himachal Pradesh, Kutch, Manipur, Tripura, Vindhya Pradesh and the Andaman and Nicobar Islands, shall discharge in their respective States all the functions of a State Government under the Press (Objectionable Matter) Act, 1951 (LVI of 1951).

[No. 25/18/51-II-Poll.]

U. K. GHOSHAL, Dy. Secy.

New Delhi, the 25th January 1952

S.R.O. 157.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Official Trustees Act, 1913 (II of 1913), the Central Government hereby directs that the said Act shall come into force in all Part B States other than the State of Jammu and Kashmir on the 4th February 1952.

[No. 52/52-I-Judicial.]

S.R.O. 158.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Administrator General's Act, 1913 (III of 1913), the Central Government hereby directs that the said Act shall come into force in all Part B States other than the State of Jammu and Kashmir on the 4th February 1952.

[No. 52/52-II-Judicial.]

E. C. GAYNOR, Dy. Secy.

MINISTRY OF STATES

New Delhi, the 31st December 1951

S.R.O. 159.—In exercise of the powers conferred by entry 3(b) of the Table annexed to Schedule I to the Indian Arms Rules, 1951, the Central Government specifies—

1. Her Highness Shah Bano Maimoona Sultan Begam,
2. Her Highness Shah Dulhan Aftab Jahan Begam,
3. Princess Rabiir Sultan,
4. Saulat Jung Colonel Mohammad Nadir Mirza,
5. Nawabzada Rashiduzzafar Khan Bahadur, and
6. Suraiya Jah Dulhan Begam, widow of the Late Nawab Nasarullah Khan. Bahadur of Bhopal,

members of the family of the Ruler of Bhopal State for the purposes of that entry.

2. This Ministry's notification Nos. 232-D and 233-D dated 12th October 1951 are hereby cancelled.

[No. 272-D.]

New Delhi, the 1st January 1952

S.R.O. 160.—In supersession of the Government of India, notification in the Ministry of States, no. 204-D, dated the 18th September 1951, the Central Government is pleased to notify that Maharajkumar Shri Mahipal Singhji Bahadur and Maharajkumar Jai Singhji Bahadur, sons of His Highness the Maharawal of Dungarpur, have been nominated by the said Ruler, for the purposes of Entry 2(b) of the Table annexed to Schedule I to the Indian Arms Rules, 1951.

[No. 6D.]

S.R.O. 161.—In exercise of the powers conferred by Entry 3(b) of the Table annexed to Schedule I to the Indian Arms Rules, 1951, the Central Government is pleased to specify Her Highness Rani Kusum Kumari of Mandi, a member of the family of the Ruler of Mandi, for the purpose of that entry.

[No. 7-D.]

H. C. MAHINDROO, Under Secy.

New Delhi, the 1st January 1952

S.R.O. 162.—In exercise of the powers conferred by section 7 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Central Government hereby appoints the following two Christians, namely Major C. L. Clive, Director of Land Reclamation, State of Bhopal and Dr. P. T. Almedia, L.M.F. of Hamidia Hospital, Bhopal, to be Marriage Registrars for the State of Bhopal and appoints the former of the above two Marriage Registrars, namely, Major C. L. Clive to be the Senior Marriage Registrar.

[No. 2-J.]

S.R.O. 163.—In exercise of the powers conferred by section 85 of the Indian Christian Marriage Act, 1872, (XV of 1872), the Central Government hereby declares that the Additional District Magistrate, Bhopal, shall in the State of Bhopal, be deemed to be the District Judge.

[No 3-J.]

S.R.O. 164.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Bilaspur, the Punjab Security of the State Act 1951, (President's Act I of 1951), as at present in force in the State of Punjab, subject to the following modifications, namely:—

Modifications

1. In section I, sub-sections (2) and (3) shall be omitted.
2. In sub-section (3) of section 9, the words 'through the Commissioner of the division' shall be omitted.
3. For section 16, the following section shall be substituted, namely:—
16. *Chief Commissioner may exercise powers of State Government.*—The powers conferred upon the State Government under this Act may also, in the like manner and subject to the like conditions be exercised by the Chief Commissioner.

Annexure

The Punjab Security of the State Act 1951 (President's Act No. I of 1951), as amended by the Punjab Security of the State (Amendment) Act, 1951 (President's Act No. III of 1951).

THE PUNJAB SECURITY OF THE STATE ACT, 1951

NO. I OF 1951

An Act to provide for special measures to prevent activities prejudicial to the security of the State or the maintenance of public order.

In exercise of the powers conferred by section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1951 (XLVI of 1951), the President is pleased to enact as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Punjab Security of the State Act, 1951.

2. *Sabotage.*—(1) No person shall do any act with intent to impede the working of, or to cause damage to,—

- (a) any building, vehicle, vessel, machinery, apparatus, or other property used, or intended to be used, for the purpose of Government or of any local authority;
- (b) any railway, tramway, road, canal, bridge, culvert, causeway, aerodrome, telegraph, telegraph line or telegraph post;
- (c) any rolling-stock of a railway or tramway or any aircraft; or
- (d) any building or other property used in connection with any industry, business or establishment of the nature specified in the Schedule.

(2) The provisions of sub-section (1) shall apply in relation to any omission on the part of a person to do anything which he is under a duty, either to the Government or to any public authority or to any person, to do, as they apply to the doing of any act by a person.

(3) If any person approaches or is in the neighbourhood of any such building, place or property as is mentioned in sub-section (1) in circumstances which afford reasonable grounds for believing that he intends to contravene that sub-section, he shall be deemed to have attempted a contravention thereof.

(4) If any person contravenes or attempts to contravene any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Explanation.—No person shall be deemed to have contravened or attempted to have contravened the provisions of this section if he commences, continues, acts in furtherance of, or omits to do anything in pursuance of a strike which is not illegal under any law for the time being in force.

3. *Quasi-military organisations.*—(1) No person shall take part in the organisation, control, management or training of, or be a member of, any body of persons organised or trained or equipped for the purpose of enabling them to be employed in usurping the functions of the police or for the authorised use or display of force.

(2) If any person contravenes the provisions of sub-section (1), he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

4. *Power to prohibit drilling.*—The District Magistrate, if satisfied that it is necessary so to do in the interests of the security of the State or for the maintenance of public order, may, by order in writing, prohibit in any area specified in the order, either absolutely or subject to exceptions contained in the order, the unauthorised practice of, or participation in, any exercise, movement, evolution or drill which is either of a military nature or involves the use, or preparation for the organised use, of weapons of offence.

5. *Wearing or display of uniforms, flags, etc.*—(1) No person shall have in his possession, or wear, carry or display, any uniform, flag, banner or emblem which has been declared by the State Government by notification in the official Gazette to signify association with any organisation declared unlawful by the Government.

(2) Any such uniform, flag, banner or emblem wherever found shall be forfeited to Government.

(3) If any person publicly wears, carries or displays any such uniform, flag, banner or emblem, he shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

6. *Power to prohibit meetings and processions.*—The District Magistrate, if satisfied that it is necessary so to do for the maintenance of public order, may, by order in writing from time to time prohibit within such area and for such period not exceeding two months as may be specified in the order,—

(a) the holding of any procession or demonstration in any public place;

(b) the holding of any public meeting;

(c) the carrying in public of anything capable of use as a weapon of offence.

7. *Power to restrict movements of persons.*—(1) The State Government or a District Magistrate, if satisfied with respect to any particular person that, with a view to preventing him from acting in any manner prejudicial to the security of the State or the maintenance of Public Order, it is necessary so to do, may by order in writing, give one or more of the following directions, viz., that such person—

(a) shall not enter, reside or remain in any area that may be specified in the order;

(b) shall reside or remain in any area that may be specified in the order;

(c) shall remove himself from, and shall not return to, any area that may be specified in the order;

(d) shall notify his movements or report himself, in such manner and at such times and to such Magistrate as may be specified in the order.

(2) An order made under sub-section (1) (hereinafter referred to as a restriction order) may require the person in respect of whom it is made to enter into a bond, with or without sureties, for the due performance of the restrictions or conditions specified in the order.

(3) No restriction order shall be operative for more than—

(a) one month, if made by a District Magistrate, and

(b) one year, if made by the State Government.

(4) The State Government may at any time cancel or modify any restriction order made by a District Magistrate.

(5) An order made under clause (a) or clause (c) of sub-section (1) may, if made by the State Government, specify as the area to which the order relates the whole State or any part thereof only and, if made by the District Magistrate, specify as such area the whole or any part of the district only;

Provided that no such order made by the State Government shall direct the exclusion or removal from the State of any person ordinarily resident in the State; and no such order made by the District Magistrate shall direct the exclusion or removal from the district of any person ordinarily resident in the district.

(6) As soon as may be after a restriction order is made, the authority making the order shall communicate to the person against whom the order is made, so far as such communication can be made without disclosing facts likely to endanger public safety or the security of the State, the grounds on which the order has been made and such other particulars as are in its opinion adequate to enable him to make a representation to the State Government against the order, and inform him of his right to make such representation and shall afford him the earliest opportunity of doing so.

(7) When the restriction order is made by a District Magistrate, he shall forthwith report to the State Government that the order has been made, the grounds on which it has been made and such other particulars as, in his opinion, have a bearing on the case.

(8) On receipt of a representation from the person against whom a restriction order has been made, the State Government shall, as soon as may be, place it before the Advisory Council constituted under sub-section (9) together with the grounds on which it has been made.

(9) The State Government shall constitute an Advisory Council consisting of a Chairman and two other members all of whom shall be persons who are or have been, or are qualified to be appointed as, Judges of a High Court.

(10) The Advisory Council shall, after considering the material placed before it and, if necessary, after calling for such further information from the State Government or from the person concerned as it may deem necessary, submit its report to the State Government within thirty days from the date on which a representation is placed before it.

(11) After considering the report of the Advisory Council, the State Government may confirm, modify or cancel the restriction order.

(12) All particulars contained in any correspondence between the State Government and the Advisory Council and the report made by the latter shall be confidential and, notwithstanding anything contained in any law for the time being in force, no court shall be entitled to require any public servant to produce before it any of the aforesaid documents.

8. *Possession or conveyance of proscribed documents.*—(1) Whoever without lawful authority—

(a) has in his possession, or

(b) carries for delivery to another person otherwise than through the post, any document the importation of which has been prohibited under the Sea Customs Act, 1878, or in respect of which an order of forfeiture has been made, under any law for the time being in force, shall, be punishable with imprisonment which may extend to one year, or with fine, or with both.

(2) Whoever intentionally permits his name or address to be used in order to facilitate transmission, through the post or otherwise, to any person other than the person for whom it purports to be intended, of any document of the nature described in sub-section (1), shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

9. *Imposition of collective fines in dangerously disturbed areas.*—(1) The State Government may, by notification in the Official Gazette, declare the whole or any part of the State to be a dangerously disturbed area.

(2) The State Government or the District Magistrate if satisfied that the inhabitants of any dangerously disturbed area—

(a) are concerned in the commission of offences or other acts which are prejudicial to the security of the State, or the maintenance of law and order, or

(b) have been harbouring persons concerned in the commission of such offences or acts,

may impose a collective fine on the inhabitants of that area.

(3) An order made by the District Magistrate under sub-section (2) shall be reported forthwith by him to the State Government, and the State Government may thereupon amend, vary or rescind such order.

(4) The authority imposing the fine under sub-section (2) may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

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(5) The District Magistrate, after such enquiry as he may deem necessary, shall apportion the fine imposed under sub-section (2) among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(6) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

10 and 11. Omitted.

12. *Powers of search.*—(1)—

(a) ascertaining whether it is necessary or expedient to exercise such power; or

(b) ascertaining whether any order given, direction made, or condition prescribed in the exercise of such power has been duly complied with; or

(c) generally giving effect to such power or securing compliance with or giving effect to any order given, direction made or condition prescribed in the exercise of such power.

(2) The power to issue search warrants conferred by section 98 of the Code of Criminal Procedure, 1898, shall be deemed to include the power to issue warrants for

(a) the search of any place in which any magistrate mentioned in that section has reason to believe that any offence under this Act or any act prejudicial to the security of the State, or the maintenance of Public Order has been, is being, or is about to be, committed, or that preparation for the commission of any such offence or act is being made;

(b) the seizure in or any place searched under clause (a) of anything which the officer executing the warrant has reason to believe is being used or is intended to be used for any purpose mentioned in that clause;

and the provisions of the said Code shall, so far as may be, apply to searches made under the authority of any warrant issued and to the disposal of any property seized under this section.

13. *Offences under the Act to be cognizable and non-bailable.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1898, all offences punishable under this Act shall be cognizable and shall, if the offence is punishable with imprisonment for a term which may extend to a period exceeding one year, be non-bailable.

14. Omitted.

15. *Protection of action taken under this Act.*—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under, or in pursuance of, this Act.

(2) No suit or other legal proceedings shall lie against the State Government or, except with the sanction of the State Government, against any of its officers, for any damage caused or likely to be caused by anything in good faith done or intended to be done under, or in pursuance of, this Act.

16. *Chief Commissioner may exercise powers of State Government.*—The powers conferred upon the State Government under this Act may also, in the like manner and subject to the like conditions be exercised by the Chief Commissioner.

THE SCHEDULE

[See section 2(1) (d)]

All undertakings relating to—

(a) the maintenance and working of naval, military and air force works, railways, air transport including aerodromes, canals, inland water transport, road transport, telegraph, telephone, broadcasting and postal services, hospitals and services connected with the safeguarding of the public health, mines, fire-brigades, printing presses;

(b) the manufacture, storage, or distribution of stores or equipment required by Government for its departments or services;

(c) any system of public conservancy or sanitation;

(d) the upkeep of roads and bridges;

- (e) any industry, business or establishment engaged in the production or supply to the public of light, heat, power, water or motive fuel; or
- (f) any industry, business or establishment engaged in the production or supply to the public of any commodity essential to the life of the community.

RAJENDRA PRASAD, President.

[No. 4-J.]

K. V. K. SUNDARAM, Secy.

S.R.O. 165.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of *Himachal Pradesh*, the Punjab Security of the State Act, 1951 (President's Act I of 1951), as at present in force in the State of Punjab, subject to the following modifications, namely:—

Modifications

1. In section 1, sub-sections (2) and (3) shall be omitted.
2. In sub-section (3) of section 9, the words 'through the Commissioner of the division' shall be omitted.
3. For section 16, the following section shall be substituted, namely:—

16. Chief Commissioner may exercise powers of State Government.—The powers conferred upon the State Government under this Act may also, in the like manner and subject to the like conditions, be exercised by the Chief Commissioner.

Annexure

The Punjab Security of the State Act, 1951 (President's Act No. 1 of 1951) as amended by the Punjab Security of the State (Amendment) Act, 1951 (President's Act No. III of 1951).

THE PUNJAB SECURITY OF THE STATE ACT, 1951

NO. I OF 1951

An Act to provide for special measures to prevent activities prejudicial to the security of the State or the maintenance of public order.

In exercise of the powers conferred by section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1951 (XLVI of 1951), the President is pleased to enact as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Punjab Security of the State Act, 1951.

2. *Sabotage.*—(1) No person shall do any act with intent to impede the working of, or to cause damage to,—

- (a) any building, vehicle, vessel, machinery, apparatus, or other property used, or intended to be used, for the purpose of Government or of any local authority;
- (b) any railway, tramway, road, canal, bridge, culvert, causeway, aerodrome, telegraph, telegraph line or telegraph post;
- (c) any rolling-stock of a railway or tramway or any aircraft; or
- (d) any building or other property used in connection with any industry, business or establishment of the nature specified in the Schedule.

(2) The provisions of sub-section (1) shall apply in relation to any omission on the part of a person to do anything which he is under a duty, either to the Government or/any public authority or to any person, to do, as they apply to the doing of any act by a person.

(3) If any person approaches or is in the neighbourhood of any such building, place or property as is mentioned in sub-section (1) in circumstances which afford reasonable grounds for believing that he intends to contravene that sub-section, he shall be deemed to have attempted a contravention thereof.

(4) If any person contravenes or attempts to contravene any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Explanation.—No person shall be deemed to have contravened or attempted to have contravened the provisions of this section if he commences, continues, acts in furtherance of, or omits to do anything in pursuance of a strike which is not illegal under any law for the time being in force.

3 *Quas-military organisations*—(1) No person shall take part in the organisation, control, management or training of, or be a member of, any body of persons organised or trained or equipped for the purpose of enabling them to be employed in usurping the functions of the police or for the authorised use or display of force.

(2) If any person contravenes the provisions of sub-section (1), he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

4. *Power to prohibit drilling.*—The District Magistrate, if satisfied that it is necessary so to do in the interests of the security of the State or for the maintenance of public order, may, by order in writing, prohibit in any area specified in the order, either absolutely or subject to exceptions contained in the order, the unauthorised practice of, or participation in, any exercise, movement, evolution or drill which is either of a military nature or involves the use, or preparation for the organised use, of weapons of offence.

5. *Wearing or display of uniforms, flags, etc.*—(1) No person shall have in his possession, or wear, carry or display, any uniform, flag, banner or emblem which has been declared by the State Government by notification in the Official Gazette to signify association with any organisation declared unlawful by the Government.

(2) Any such uniform, flag, banner or emblem wherever found shall be forfeited to Government.

(3) If any person publicly wears, carries or displays any such uniform, flag, banner or emblem, he shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

6. *Power to prohibit meetings and processions.*—The District Magistrate, if satisfied that it is necessary so to do for the maintenance of public order, may, by order in writing from time to time prohibit within such area and for such period not exceeding two months as may be specified in the order,—

(a) the holding of any procession or demonstration in any public place;

(b) the holding of any public meeting;

(c) the carrying in public of anything capable of use as a weapon of offence.

7. *Power to restrict movements of persons.*—(1) The State Government or a District Magistrate, if satisfied with respect to any particular person that, with a view to preventing him from acting in any manner prejudicial to the security of the State or the maintenance of Public Order, it is necessary so to do, may by order in writing, give one or more of the following directions, *viz.*, that such person—

(a) shall not enter, reside or remain in any area that may be specified in the order;

(b) shall reside or remain in any area that may be specified in the order;

(c) shall remove himself from, and shall not return to, any area that may be specified in the order;

(d) shall notify his movements or report himself, in such manner and at such times and to such Magistrate as may be specified in the order.

(2) An order made under sub-section (1) (hereinafter referred to as a restriction order) may require the person in respect of whom it is made to enter into a bond, with or without sureties, for the due performance of the restrictions or conditions specified in the order.

(3) No restriction order shall be operative for more than—

(a) one month, if made by a District Magistrate, and

(b) one year, if made by the State Government.

(4) The State Government may at any time cancel or modify any restriction order made by a District Magistrate.

(5) An order made under clause (a) or clause (c) of sub-section (1) may if made by the State Government, specify as the area to which the order relates the whole

State or any part thereof only and, if made by the District Magistrate, specify as such area the whole or any part of the district only:

Provided that no such order made by the State Government shall direct the exclusion or removal from the State of any person ordinarily resident in the State; and no such order made by the District Magistrate shall direct the exclusion or removal from the district of any person ordinarily resident in the district.

(6) As soon as may be after a restriction order is made, the authority making the order shall communicate to the person against whom the order is made, so far as such communication can be made without disclosing facts likely to endanger public safety or the security of the State, the grounds on which the order has been made and such other particulars as are in its opinion adequate to enable him to make a representation to the State Government against the order, and inform him of his right to make such representation and shall afford him the earliest opportunity of doing so.

(7) When the restriction order is made by a District Magistrate, he shall forthwith report to the State Government that the order has been made, the grounds on which it has been made and such other particulars as, in his opinion, have a bearing on the case.

(8) On receipt of a representation from the person against whom a restriction order has been made, the State Government shall, as soon as may be, place it before the Advisory Council constituted under sub-section (9) together with the grounds on which it has been made.

(9) The State Government shall constitute an Advisory Council consisting of a Chairman and two other members all of whom shall be persons who are or have been, or are qualified to be appointed as, Judges of a High Court.

(10) The Advisory Council shall, after considering the material placed before it and, if necessary, after calling for such further information from the State Government or from the person concerned as it may deem necessary, submit its report to the State Government within thirty days from the date on which a representation is placed before it.

(11) After considering the report of the Advisory Council, the State Government may confirm, modify or cancel the restriction order.

(12) All particulars contained in any correspondence between the State Government and the Advisory Council and the report made by the latter shall be confidential and, notwithstanding anything contained in any law for the time being in force, no court shall be entitled to require any public servant to produce before it any of the aforesaid documents.

8. *Possession or conveyance of proscribed documents.*—(1) Whoever without lawful authority—

(a) has in his possession, or

(b) carries for delivery to another person otherwise than through the post, any document the importation of which has been prohibited under the Sea Customs Act, 1878, or in respect of which an order of forfeiture has been made, under any law for the time being in force, shall, be punishable with imprisonment which may extend to one year, or with fine, or with both.

(2) Whoever intentionally permits his name or address to be used in order to facilitate transmission, through the post or otherwise, to any person other than the person for whom it purports to be intended, of any document of the nature described in sub-section (1), shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

9. *Inposition of collective fines in dangerously disturbed area.*—(1) The State Government may, by notification in the Official Gazette, declare the whole or any part of the State to be a dangerously disturbed area.

(2) The State Government or the District Magistrate if satisfied that the inhabitants of any dangerously disturbed area—

(a) are concerned in the commission of offences or other acts which are prejudicial to the security of the State, or the maintenance of law and order, or

(b) have been harbouring persons concerned in the commission of such offences or acts,

may impose a collective fine on the inhabitants of that area.

(3) An order made by the District Magistrate under sub-section (2) shall be reported forthwith by him to the State Government, and the State Government may thereupon amend, vary or rescind such order.

(4) The authority imposing the fine under sub-section (2) may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(5) The District Magistrate, after such enquiry as he may deem necessary, shall apportion the fine imposed under sub-section (2) among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(6) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

Sections 10 and 11 omitted.

12. Powers of search.—(1)—

- (a) ascertaining whether it is necessary or expedient to exercise such power; or
- (b) ascertaining whether any order given, direction made, or condition prescribed in the exercise of such power has been duly complied with; or
- (c) generally giving effect to such power or securing compliance with or giving effect to any order given, direction made or condition prescribed in the exercise of such power.

(2) The power to issue search warrants conferred by section 98 of the Code of Criminal Procedure, 1898, shall be deemed to include the power to issue warrants for—

- (a) the search of any place in which any magistrate mentioned in that section has reason to believe that any offence under this Act or any act prejudicial to the security of the State, or the maintenance of Public Order has been, is being, or is about to be, committed, or that preparation for the commission of any such offence or act is being made;
- (b) the seizure in or on any place searched under clause (a) of anything which the officer executing the warrant has reason to believe is being used or is intended to be used for any purpose mentioned in that clause;

and the provisions of the said Code shall, so far as may be, apply to searches made under the authority of any warrant issued and to the disposal of any property seized under this section.

13. *Offences under the Act to be cognizable and non-bailable.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1898, all offences punishable under this Act shall be cognizable and shall, if the offence is punishable with imprisonment for a term which may extend to a period exceeding one year, be non-bailable.

14. Omitted.

15. *Protection of action taken under the Act.*—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under, or in pursuance of, this Act.

(2) No suit or other legal proceedings shall lie against the State Government or, except with the sanction of the State Government, against any of its officers, for any damage caused or likely to be caused by anything in good faith done or intended to be done under, or in pursuance of, this Act.

16. *Chief Commissioner may exercise powers of State Government.*—The powers conferred upon the State Government under this Act may also, in the like manner and subject to the like conditions, be exercised by the Chief Commissioner.

THE SCHEDULE

(See section 2(1)(d))

All undertakings relating to—

- (a) the maintenance and working of naval, military and air force works, railways, air transport including aerodromes, canals, inland water transport, road transport, telegraph, telephone, broadcasting and postal services, hospitals and services connected with the safeguarding of the public health, mines, fire-brigades, printing presses;
- (b) the manufacture, storage, or distribution of stores or equipment required by Government for its departments or services;

- (c) any system of public conservancy or sanitation;
- (d) the upkeep of roads and bridges;
- (e) any industry, business or establishment engaged in the production or supply to the public of light, heat, power, water or motive fuel; or
- (f) any industry, business or establishment engaged in the production or supply to the public of any commodity essential to the life of the community.

RAJENDRA PRASAD, President.

[No. 5-J.]

K. V. K. SUNDARAM, Secy.

New Delhi, the 30th January 1952

S.R.O. 166.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Bhopal the Madhya Pradesh Livestock Improvement Act, 1950 (Madhya Pradesh Act XX of 1950) as at present in force in the State of Madhya Pradesh subject to the following modifications, namely:—

Modifications

1. Throughout the Act, except in sub-section (2) of section 3, for the words 'State Government' wherever they occur, the words 'Chief Commissioner' shall be substituted.
2. In sub-section (2) of section 1, for the words 'Madhya Pradesh' the word 'Bhopal' shall be substituted.
3. In clause (c) of section 2, for the words 'Director of Veterinary Service, Madhya Pradesh' the words 'the Animal Husbandry Officer, Bhopal' shall be substituted.

Annexure

The Madhya Pradesh Livestock Improvement Act, 1950 (Madhya Pradesh Act XX of 1950) as modified by this notification.

MADHYA PRADESH ACT No. XX OF 1950

MADHYA PRADESH LIVESTOCK IMPROVEMENT ACT, 1950

(Received the assent of the Governor on the 6th May, 1950; assent first published in Madhya Pradesh Gazette on the 12th May, 1950.)

An Act to provide for the improvement of Livestock in Madhya Pradesh.

Preamble.—WHEREAS it is expedient to provide for the improvement of Livestock in Madhya Pradesh.

It is hereby enacted as follows:—

1. **Short title and extent.**—(1) This Act may be cited as Madhya Pradesh Livestock Improvement Act, 1950.

(2) It extends to the whole of Bhopal.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

- (a) "Approved bull" means a bull certified as such under section 7 or supplied by Government in a local area for breeding purpose;
- (b) "Bull" means a male calf above such age as the State Government may, by notification, prescribe for any local area;
- (c) "Director" means the Animal Husbandry Officer, Bhopal;
- (d) "Livestock Officer" means the Director and includes any officer authorised by him to exercise all or any of the powers under the Act;
- (e) "prescribed" means prescribed by rules made under this Act.

3. **Power to specify area.**—(1) The Chief Commissioner may, by notification declare any part of the State to be specified area for the purposes of this Act and there upon the provisions of sections 4 to 20 shall come into operations in such areas.

(2) No such notification shall be issued unless the Chief Commissioner is satisfied that the number of bulls in the specified area which are fit to be certified as approved under section 7 together with such number of bulls as may be supplied by Chief Commissioner in any local area for breeding purpose will be adequate to maintain the rate of propagation of the species.

(3) The Chief Commissioner may, after recording reasons for doing so, cancel at any time a notification issued under sub-section (1).

(4) The validity of any notification issued under sub-section (1) or (3) shall not be called into question in any proceeding before any court or authority.

4. Prohibition to keep a bull unmarked.—Except as provided by or under this Act, no person shall keep in his possession any bull which has not been marked in accordance with the provisions of this Act.

5. Intimation about unmarked bulls.—Every person, who on the date of the issue of the notification under section 3 has in his possession any bull or who, at any time thereafter, comes into possession of any which is not branded with a distinguishing mark prescribed under this Act, shall give intimation of such possession to the Livestock Officer within such period as may be prescribed.

6. Submission of bulls for inspection.—On receipt of the intimation under section 5, or on his own motion, the Livestock Officer, may by order require any person keeping a bull to submit the bull for inspection at any reasonable time and at a specified place in the village in which the bull is usually kept and thereupon it shall be the duty of the person keeping the bull to submit it for inspection accordingly and render all reasonable assistance in connection with such inspection.

7. Certification of bulls on approved.—(1) Where on such inspection of a bull, the Live stock Officer is satisfied that the bull is capable of being used for breeding purposes, and—

(a) is not of defective or inferior conformation and is not likely to beget defective or inferior progeny, or

(b) is not suffering from an incurable, contagious or infectious disease or from any other disease rendering the bull unsuitable for breeding purposes, or

(c) is not of a breed which it is undesirable to propagate in the specified area or part thereof,

he shall certify the bull as approved and cause it to be branded with a mark prescribed for the purpose.

8. Marking of Castrated bulls.—Where on inspection, the Livestock Officer is satisfied that a bull is effectively castrated, he shall cause it to be branded with a mark prescribed for the purpose.

9. Castrating of unapproved bulls.—(1) Where on inspection the Livestock Officer is satisfied that a bull is not fit for being certified as an approved bull and is also not effectively castrated, he shall order the person keeping the bull to have it castrated, within order such period, as may be prescribed from the date of the service of the Order.

(2) Such castration shall be performed or caused to be performed by the Livestock Officer free of charge, unless the owner or the other person keeping the bull desired to make his own arrangements for complying with the order.

(3) If the keeper of the bull fails to comply with the order within time allowed under sub-section (1), then without prejudice to any action that may be taken under section 17 the Livestock Officer shall get the bull castrated free of charge.

(4) The Livestock Officer shall cause every bull so castrated to be branded with the appropriate mark.

10. Castration of bulls without owners.—(1) If after such enquiry as the Livestock Officer may deem fit to make, he finds that any bull is not owned or possessed by a known person, he shall cause the bull to be seized and inspected.

(2) If on such inspection, he finds that action under section 7 or section 8 is appropriate, he shall take such action; and if he finds that the bull is not fit for being certified as approved and is also not effectively castrated, he shall have it castrated and cause it to be branded with the appropriate mark.

11. **Power of Livestock Officer.**—(1) For the purpose of this Act, a Livestock Officer or any other officer or person authorised by him in this behalf shall have power at all reasonable times—

To inspect or mark bulls and to enter premises.

- (a) to inspect any bull;
- (b) to brand any bull with a prescribed mark in the prescribed manner.
- (c) subject to such conditions and restrictions, if any, as may be prescribed, to enter any premises or other place where he has reason to believe that a bull is kept.

(2) If the Livestock Officer on inspection of an approved bull finds that the bull has contracted a heritable diseases or has otherwise become unfit as an approved bull, he may take action for the castration and marking of the bull afresh in accordance with the section 9.

12. **Marking to be made free of charge.**—Every marking required to be made under this Act shall be made free of charge.

13. **Service of notice and Order.**—Any notice or order which is to be served on any person under the provision of this Act may be served in the manner which may be prescribed.

14. **Maintenance of registers.**—The Livestock Officer shall maintain in the prescribed form such register giving particulars of inspections, castration and markings made and bulls approved under this Act, and such other particulars as may be prescribed.

15. **Duty of Officers to report offences etc.**—It shall be the duty of all persons entrusted with the performance of any duty under the provisions of this Act and of all officers, of such grade as may be specified by the Chief Commissioner by general or special order of the Veterinary, Agriculture, Co-operative and Revenue Departments:—

- (a) to give immediate information to the nearest Livestock Officer of the commission of any offence or of the intention or preparation to commit any offence punishable under this Act, which may come to their knowledge.
- (b) to take all reasonable measures in their power to prevent the commission of any such offence which they may know or have reason to believe is about, or likely to be committed; and
- (c) to assist the Livestock Officer in carrying out the provisions of the Act.

16. **Penalty for unauthorised markings.**—If any person without lawful authority brands or caused to be branded any bull with any mark prescribed under this Act or with any mark resembling such prescribed mark intending by means of that resemblance to practice deception, he shall be liable to imprisonment which may extend to three months or with a fine which may extend to five hundred rupees.

17. **Penalty for other offences.**—Whoever—

- (a) keeps a bull in contravention of this Act or of any rule or order made thereunder, or
- (b) neglects or fails to submit a bull for inspection when required to do so under section 6 or section 11, or
- (c) neglects or fails to comply with an order served under section 9,

shall be punishable with fine which may extend to fifty rupees and in the case of a second or any subsequent offence with fine which may extend to one hundred rupees.

18. **Cognizance of offences.**—No Magistrate or court shall take cognizance of any offence under this Act except upon a complaint made by a Livestock Officer or any person authorised by him in this behalf.

19. **Bar of proceedings.**—No suit, prosecution or other proceedings shall lie against an officer or servant of the Chief Commissioner for any act done or purporting to be done under this Act without the previous sanction of the Chief Commissioner.

20. **Power to make rules.**—(1) The Chief Commissioner may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for—

- (a) all matters required to be prescribed under this Act, and
- (b) the powers and duties to be exercised and performed by officers acting under this Act and the proceedings to be adopted by them in so acting.
- (c) All rules shall be subject to previous publications.

(4) In making any rule, the Chief Commissioner may direct that a breach thereof shall be punishable with fine which may extend to fifty rupees.

[No. 20-J.]

S.R.O. 167.—In exercise of the powers conferred by section 2 of the Part 'C' States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Vindhya Pradesh the Madhya Pradesh Livestock Improvement Act of 1950 as at present in force in the State of Madhya Pradesh subject to the following modifications, namely:—

Modifications.

1. Throughout the Act, except in sub-section (2) of section 3, for the words 'State Government' wherever they occur, the words 'Chief Commissioner' shall be substituted.

2. In sub-section (2) of Section (1) for the words 'Madhya Pradesh' the words 'Vindhya Pradesh' shall be substituted.

3. For clause (c) of section 2, the following clause shall be substituted, namely:—

"(c) 'Chief Animal Husbandry Officer' means the Chief Animal Husbandry Officer of the Animal Husbandry Department, Vindhya Pradesh".

4. In clause (d) of section 2 for the word "Director" the words "the Chief Animal Husbandry Officer" shall be substituted.

5. In section 15 for the word "Veterinary", the words "Animal Husbandry" shall be substituted.

Annexure

The Madhya Pradesh Livestock Improvement Act, 1950 (Madhya Pradesh Act XX of 1950), as modified by this notification.

MADHYA PRADESH ACT NO. XX OF 1950

MADHYA PRADESH LIVESTOCK IMPROVEMENT ACT, 1950

(Received the assent of the Governor on the 6th May 1950; assent first published in Madhya Pradesh Gazette on the 12th May 1950.)

An Act to provide for the improvement of Livestock in Madhya Pradesh.

Preamble.—WHEREAS it is expedient to provide for the improvement of Livestock in Madhya Pradesh.

It is hereby enacted as follows:—

1. **Short title and extent.**—(1) This Act may be cited as Madhya Pradesh Livestock Improvement Act, 1950.

(2) It extends to the whole of Vindhya Pradesh.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context:—

(a) "Approved bull" means a bull certified as such under section 7 or supplied by Government in a local area for breeding purpose;

(b) "Bull" means a male calf above such age as the Chief Commissioner may, by notification, prescribe for any local area;

"(c) 'Chief Animal Husbandry Officer' means the Chief Animal Husbandry Officer of the Animal Husbandry Department, Vindhya Pradesh";

(d) "Livestock Officer" means the Chief Animal Husbandry Officer and includes any officer authorised by him to exercise all or any of the powers under the Act;

(e) "prescribed" means prescribed by rules made under this Act.

3. **Power to specify area.**—(1) The Chief Commissioner may, by notification, declare any part of the State to be specified area for the purposes of this Act and

thereupon the provisions of sections 4 to 20 shall come into operation in such areas.

(2) No such notification shall be issued unless the Chief Commissioner is satisfied that the number of bulls in the specified area which are fit to be certified as approved under section 7 together with such number of bulls as may be supplied by State Government in any local area for breeding purpose will be adequate to maintain the rate of propagation of the species.

(3) The Chief Commissioner may, after recording reasons for doing so, cancel at any time a notification issued under sub-section (1).

(4) The validity of any notification issued under sub-section (1) or (3) shall not be called into question in any proceeding before any court or authority.

4. Prohibition to keep a bull unmarked.—Except as provided by or under this Act, no person shall keep in his possession any bull which has not been marked in accordance with the provisions of this Act.

5. Intimation about unmarked bulls.—Every person, who on the date of the issue of the notification under section 3 has in his possession any bull or who, at any time thereafter, comes into possession of any which is not branded with a distinguishing mark prescribed under this Act, shall give intimation of such possession to the Livestock Officer within such period as may be prescribed.

6. Submission of bulls for inspection.—On receipt of the intimation under section 5, or on his own motion, the Livestock Officer, may by order require any person keeping a bull to submit the bull for inspection at any reasonable time and at a specified place in the village in which the bull is usually kept and thereupon it shall be the duty of the person keeping the bull to submit it for inspection accordingly and render all reasonable assistance in connection with such inspection.

7. Certification of bulls on approved.—(1) Where on such inspection of a bull, the Livestock Officer is satisfied that the bull is capable of being used for breeding purposes, and—

- (a) is not of defective or inferior conformation and is not likely to beget defective or inferior progeny, or
- (b) is not suffering from an incurable, contagious or infectious disease or from any other disease rendering the bull unsuitable for breeding purposes, or
- (c) is not of a breed which it is undesirable to propagate in the specified area or part thereof,

he shall certify the bull as approved and cause it to be branded with a mark prescribed for the purpose.

8. Marking of Castrated bulls.—Where on inspection, the Livestock Officer is satisfied that a bull is effectively castrated, he shall cause it to be brand with a mark prescribed for the purpose.

9. Castrating of unapproved bulls.—(1) Where on inspection the Livestock Officer is satisfied that a bull is not fit for being certified as an approved bull and is also not effectively castrated, he shall order the person keeping the bull to have it castrated, within order such period, as may be prescribed from the date of the service of the Order.

(2) Such castration shall be performed or caused to be performed by the Livestock Officer free of charge, unless the owner or the other person keeping the bull desired to make his own arrangements for complying with the order.

(3) If the keeper of the bull fails to comply with the order within time allowed under sub-section (1), then without prejudice to any action that may be taken under section 17 the Livestock Officer shall get the bull castrated free of charge.

(4) The Livestock Officer shall cause every bull so castrated to be branded with the appropriate mark.

10. Castration of bulls without owners.—(1) If after such enquiry as the Livestock Officer may deem fit to make, he finds that any bull is not owned or possessed by a known person, he shall cause the bull to be seized and inspected.

(2) If on such inspection, he finds that action under section 7 or section 8 is appropriate, he shall take such action; and if he finds that the bull is not fit for being certified as approved and is also not effectively castrated, he shall have it castrated and cause it to be branded with the appropriate mark.

11. Power of Livestock Officer.—(1) For the purpose of this Act, a Livestock Officer or any other officer or person authorised by him in this behalf shall have power at all reasonable times—

To inspect or mark bulls and to enter premises—

- (a) to inspect any bull;
- (b) to brand any bull with a prescribed mark in the prescribed manner;
- (c) subject to such conditions and restrictions, if any, as may be prescribed, to enter any premises or other place where he has reason to believe that a bull is kept.

(2) If the Livestock Officer on inspection of an approved bull finds that the bull has contracted a heritable diseases or has otherwise become unfit as an approved bull, he may take action for the castration and marking of the bull afresh in accordance with the section 9.

12. Marking to be made free of charge.—Every marking required to be made under this Act shall be made free of charge.

13. Service of notice and Order.—Any notice or order which is to be served on any person under the provision of this Act may be served in the manner which may be prescribed.

14. Maintenance of registers.—The Livestock Officer shall maintain in the prescribed form such register giving particulars of inspections castration and markings made and bulls approved under this Act, and such other particulars as may be prescribed.

15. Duty of Officers to report offences etc.—It shall be the duty of all persons entrusted with the performance of any duty under the provisions of this Act and of all officers, of such grade as may be specified by the Chief Commissioner by general or special order of the Animal Husbandry, Agriculture, Co-operative and Revenue Departments:—

- (a) to give immediate information to the nearest Livestock Officer of the commission of any offence or of the intention or preparation to commit any offence punishable under this Act, which may come to their knowledge;
- (b) to take all reasonable measures in their power to prevent the commission of any such offence which they may know or have reason to believe is about, or likely to be committed; and
- (c) to assist the Livestock Officer in carrying out the provisions of the Act.

16. Penalty for unauthorised markings.—If any person without lawful authority brands or caused to be branded any bull with any mark prescribed under this Act or with any mark resembling such prescribed mark intending by means of that resemblance to practice deception, he shall be liable to imprisonment which may extend to three months or with a fine which may extend to five hundred rupees.

17. Penalty for other offences.—Whoever—

- (a) keeps a bull in contravention of this Act or of any rule or order made thereunder, or
- (b) neglects or fails to submit a bull for inspection when required to do so under section 6 or section 11, or
- (c) neglects or fails to comply with an order served under section 9.

shall be punishable with fine which may extend to fifty rupees and in the case of a second or any subsequent offence with fine which may extend to one hundred rupees.

18. Cognizance of offences.—No Magistrate or court shall take cognizance of any offence under this Act except upon a complaint made by a Livestock Officer or any person authorised by him in this behalf.

19. Bar of proceeding.—No suit prosecution or other proceedings shall lie against an officer or servant of the Chief Commissioner for any act done or purporting to be done under this Act without the previous sanction of the Chief Commissioner.

20. Power to make rules.—(1) The Chief Commissioner may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for—

- (a) all matters required to be prescribed under this Act, and
- (b) the powers and duties to be exercised and performed by officers acting under this Act and the proceedings to be adopted by them in so acting,
- (c) All rules shall be subject to previous publications.

(4) In making any rule, the Chief Commissioner may direct that a breach thereof shall be punishable with fine which may extend to fifty rupees.

[No. 21-J.]

S.R.O. 168.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950) the Central Government hereby extends to the State of Manipur the Public Gambling Act, 1867 (III of 1867) which is in force in the Part A States of Uttar Pradesh, Punjab and Madhya Pradesh subject to the following restrictions and modifications, namely :—

1. In section 1, in the definition of "Common Gaming house" and in sections 3, 4, 5 and 10 of the Act, after the words "Walled enclosure", wherever they occur, insert the words "Tent, Space, Vehicle" and after the said definition, add the following definition :—

"Instrument of gaming" includes any article used as a means or appurtenance to or for the purpose of carrying on or facilitating gaming".

"Gaming" includes wagering or betting but does not include a lottery.

2. For paragraph 1 of section 2, the following paragraph shall be substituted, namely :—

"Sections 13 and 17, as amended by this notification, of this Act shall extend to the whole of Manipur and it shall be competent to the Chief Commissioner whenever he may think fit to extend, by notification to be published in three successive numbers of the official Gazette, all or any of the remaining sections of this Act to any local area subject to his administration and in such notification to define, for the purposes of this Act limits of such area, and from time to time to alter the limits so defined".

3. In paragraph 1 of section 5, for the words "Magistrate of a district", the words "District Magistrate" shall be substituted.

4. In paragraph 5 of section 13, after words "such Police Officer may seize" insert the words "all birds and animals and", and at the end of the same paragraph after the word "destroyed" add the words "such birds and animals to be sold" shall be inserted.

5. For section 17 the following shall be substituted, namely :—

"17. All fines imposed under this Act may be recovered in the manner prescribed under the existing laws of the state for realisation of fines."

Annexure.

The Public Gambling Act, 1867 (III of 1867) as modified by this notification

THE PUBLIC GAMBLING ACT, 1867

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Preamble.

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3. Penalty for owning or keeping, or having charge of, a gaming-house.
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5. Power to enter and authorise police to enter and search.
6. Finding Cards, etc. in suspected houses, to be evidence that such houses are common gaming-houses.
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9. Proof of playing for stakes unnecessary.
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12. Act not to apply to certain games.
13. Gaming and setting birds and animals to fight in public streets.
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16. Portion of fine may be paid to informer.
17. Recovery and application of fines.
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ACT NO. III OF 1867

An Act to provide for the punishment of public gambling and the keeping of common gaming-houses in the (United Provinces, East Punjab, Delhi and the Central Provinces).

Preamble.—WHEREAS it is expedient to make provision for the punishment of public gambling and the keeping of common gaming-houses (in the United Provinces, East Punjab, Delhi and the Central Provinces);

It is hereby enacted as follows:—

1. **Interpretation-clause.**—In this Act—

* * * * *

"Common gaming-house".—"Common gaming-house" means any house, walled enclosure, "Tent, space, vehicle" room or place in which cards, dice, tables or other instruments of gaming are kept or used for the profit or gain of the person owning, occupying, using or keeping such house, enclosure, room or place, whether by way of charge for the use of the instruments or gaming, or of the house, enclosure, room or place, or otherwise howsoever :

* * * * *

"Instrument of gaming" includes any article used as a means or appurtenance to or for the purpose of carrying on or facilitating gaming".

"Gaming" includes wagering or betting but does not include a lottery.

2. **Power to extend Act.**—"Sections 13 and 17, as amended by this notification. of this Act shall extend to the whole of Manipur and it shall be competent to the Chief Commissioner whenever he may think fit to extend, by notification to be published in three successive numbers of the official Gazette, all or any of the remaining sections of this Act to any local area subject to his administration and in such notification to define, for the purposes of this Act limits of such area, and from time to time to alter the limits so defined".

From the date of any such extension, so much of any rule having the force of law which shall be in operation in the territories to which such extension shall have been made, as shall be inconsistent with or repugnant to any section so extended, shall cease to have effect in such territories.

3. **Penalty for owning or keeping, or having charge of a gaming-house.**—Whoever, being the owner or occupier, or having the use, of any house, walled enclosure, "Tent, space, vehicle" room or place situate within the limits to which this Act applies, opens, keeps or uses the same as a common gaming-house; and

whoever, being the owner or occupier of any such house, walled enclosure, "Tent, space, vehicle" room or place as aforesaid, knowingly or wilfully permits the same to be opened, occupied, used or kept by any other person as a common gaming-house; and

whoever has the care or management of, or in any manner assists in conducting, the business of any house, walled enclosure, "Tent, space, vehicle" room or place as aforesaid, opened, occupied, used or kept for the purpose aforesaid; and

whoever advances or furnishes money for the purpose of gaming with persons frequenting such house, walled enclosure, Tent, space, vehicle," room or place

shall be liable to a fine not exceeding two-hundred rupees, or to imprisonment of either description, as defined in the Indian Penal Code (XLV of 1860), for any term not exceeding three months.

4. Penalty for being found in gaming-house.—Whoever is found in any such house, walled enclosure, "Tent, space, vehicle" room or place, playing or gaming with cards, dice, counters, money or other instruments of gaming, or is found there present for the purpose of gaming, whether playing for any money, wager, stake or otherwise, shall be liable to a fine not exceeding one hundred rupees, or to imprisonment of either description, as defined in the Indian Penal Code (XLV of 1860), for any term not exceeding one month.

and any person found in any common gaming-house during any gaming or playing therein shall be presumed, until the contrary be proved, to have been there for the purpose of gaming.

5. Powers to enter and authorised police to enter and search.—If the District Magistrate or other officer invested with the full powers of a Magistrate, or the District Superintendent of Police, upon credible information, and after such enquiry as he may think necessary, has reason to believe that any house, walled enclosure, "Tent, space, vehicle" room or place, is used as a common gaming-house.

he may either himself enter, or by his warrant authorise any officer of police, not below such rank as the (State Government) shall appoint in this behalf to enter with such assistance as may be found necessary, by night or by day, and by force, if necessary, any such house, walled enclosure, "Tent, space, vehicle", room or place,

and may either himself take into custody, or authorise such officer to take into custody, all persons whom he or such officer finds therein, whether or not then actually gaming;

and may seize or authorise such officer to seize all instruments of gaming, and all moneys and securities for money, and articles of value, reasonably suspected to have been used or intended to be used for the purpose of gaming which are found therein;

and may search or authorise such officer to search all parts of the house, walled enclosure, "Tent, space, vehicle", room or place which he or such officer shall have so entered when he or such officer has reason to believe that any instruments of gaming are concealed therein, and also the persons of those whom he or such officer so takes into custody;

and may seize or authorise such officer to seize and take possession of all instruments of gaming found upon such search.

6. Finding cards, etc., in suspected houses, to be evidence that such houses are common gaming-houses.—When any cards, dice, gaming-tables, cloths, boards or other instruments of gaming are found in any house, walled enclosure, "Tent, space, vehicle" room or place entered or searched under the provisions of the last preceding section, or about the person of any of those who are found therein, it shall be evidence, until the contrary is made to appear, that such house, walled enclosure, "Tent, space, vehicle" room or place, is used as a common gaming-house, and that the persons found therein were there present for the purpose of gaming, although no play was actually seen by the Magistrate or police-officer, or any of his assistants.

7. Penalty on persons arrested for giving false names and addresses.—If any person found in any common gaming-house entered by any Magistrate or officer of police under the provisions of this Act, upon being arrested, by any such officer or upon being brought before any Magistrate, on being required by such officer or Magistrate to give his name and address, shall refuse or neglect to give the same, or shall give any false name or address, he may upon conviction before the same or any other Magistrate be adjudged to pay any penalty not exceeding five hundred rupees, together with such costs as to such Magistrate shall appear reasonable, and on the non-payment of such penalty and costs, or in the first instance, if to such Magistrate it shall seem fit, may be imprisoned for any period not exceeding one month.

8. On conviction for keeping a gaming-house, instruments of gaming to be destroyed.—On conviction of any person for keeping or using any such common gaming-house, or being present therein for the purpose of gaming, the convicting Magistrate may order all the instruments of gaming found therein to be destroyed, and may also order all or any of the securities for money and other articles seized,

9. **Proof of playing for stakes unnecessary.**—It shall not be necessary, in order to convict any person of keeping a common gaming-house, or of being concerned in the management of any common gaming-house, to prove that any person found playing at any game was playing for any money, wager or stake.

10. **Magistrate may require any person apprehended to be sworn and give evidence.**—It shall be lawful for the Magistrate before whom any persons shall be brought, who have been found in any house, walled enclosure, "Tent, space, vehicle", room or place entered under the provisions of this Act, to require any such persons to be examined on oath or solemn affirmation, and give evidence touching any unlawful gaming in such house, walled enclosure, "Tent, space, vehicle", room or place, or touching any act done for the purpose of preventing, obstructing or denying the entry into such house, walled enclosure, "Tent, space, vehicle", room or place or any part thereof, of any Magistrate or officer authorised as aforesaid.

No person so required to be examined as a witness shall be excused from being so examined when brought before such Magistrate as aforesaid, or from being so examined at any subsequent time by or before the same or any other Magistrate, or by or before any Court on any proceeding or trial in any ways relating to such unlawful gaming or any such acts as aforesaid, or from answering any question put to him touching the matters aforesaid, on the ground that his evidence will tend to criminate himself.

Any such person so required to be examined as a witness, who refuses to make oath or take affirmation accordingly or to answer any such question as aforesaid, shall be subject to be dealt with in all respect as any person committing the offence described in section 178 or section 179 (as the case may be) of the Indian Penal Code (XLV of 1860).

11. **Witnesses indemnified.**—Any person who shall have been concerned in gaming contrary to this Act, and who shall be examined as a witness before a Magistrate on the trial of any person for a breach of any of the provisions of this Act relating to gaming, and who, upon such examination, shall in the opinion of the Magistrate make true and faithful discovery, to the best of his knowledge, of all things as to which he shall be so examined, shall thereupon receive from the said Magistrate a certificate in writing to that effect, and shall be freed from all prosecutions under this Act for anything done before that time in respect of such gaming.

12. **Act not to apply to certain games.**—Nothing in the foregoing provisions of this Act contained shall be held to apply to any game of mere skill wherever played.

13. **Gaming and setting birds and animals to fight in public streets.**—A police-officer may apprehend without warrant—any person found playing for money or other valuable thing with cards, dice, counters or other instruments of gaming, used in playing any game not being a game of mere skill in any public street, place or thoroughfare situated within the limits aforesaid, or

any person setting any birds or animals to fight in any public street, place or thoroughfare situated within the limits aforesaid, or

any person there present aiding and abetting such public fighting of birds and animals.

Such person when apprehended shall be brought without delay before a Magistrate, and shall be liable to a fine not exceeding fifty rupees, or to imprisonment, either simple or rigorous, for any term not exceeding one calendar month:

Destruction of instruments of gaming found in public street.—and such police-officer may seize all birds and animals and all instruments of gaming found in such public place or on the person of those whom he shall so arrest, and the Magistrate may on conviction of the offender order such instruments to be forthwith destroyed. Such birds and animals to be sold.

14. **Offences by whom triable.**—Offences punishable under this Act shall be triable by any Magistrate having jurisdiction in the place where the offence is committed.

But such Magistrate shall be restrained within the limits of his jurisdiction under the Code of Criminal Procedure, as to the amount of fine or imprisonment he may inflict.

15. Penalty for subsequent offence.—Whoever, having been convicted of an offence punishable under section 3 or section 4 of this Act, shall again be guilty of any offence punishable under either of such sections, shall be subject for every such subsequent offence to double the amount of punishment to which he would have been liable for the first commission of an offence of the same description:

Provided that he shall not be liable in any case to a fine exceeding six hundred rupees, or to imprisonment for a term exceeding one year.

16. Portion of fine may be paid to informer.—The Magistrate trying the case may direct any portion of any fine which shall be levied under sections 3 and 4 of this Act, or any part of the moneys or proceeds of articles seized and ordered to be forfeited under this Act, to be paid to an informer.

17. Recovery and application of fines.—All fines imposed under this Act may be recovered in the manner prescribed under the existing laws of the state for realisation of fines.

[No. 22-J.]

A. N. SACHDEV, Under Secy.

MINISTRY OF FINANCE (REVENUE DIVISION)

CUSTOMS

New Delhi, the 22nd January 1952

S.R.O. 169.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to direct that the following further amendment shall be made in the notification of the Government of India in the late Finance Department (Central Revenues) No. 33-Customs, dated the 22nd June 1935, namely:—

In Schedule 1 annexed to the said notification, under the head B-Government Departments, for the entry against Serial No. 42, the following shall be substituted, namely:—

42	Medals and decorations including medal ribbons	When imported	The whole
		(i) direct by the Government of India in the Ministry of Defence.	
		(ii) direct by and for the use of any unit or formation of the Indian Army	The whole

[No. 12.]

S.R.O. 170.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby cancels the following notifications namely:—

(1) Notification of the Government of India in the late Finance Department (Central Revenues) No. 31-Customs, dated the 18th June 1932.

(2) Notification of the Government of India in the late Finance Department (Central Revenues) No. 63-Customs, dated the 28th October 1939.

(3) Notification of the Government of India in the late Finance Department (Central Revenues) No. 29-Customs, dated the 5th April 1941.

(4) Notification of the Government of India in the late Finance Department (Central Revenues) No. 4-Customs, dated the 3rd February 1934.

(5) Notification of the Government of India in the late Finance Department (Central Revenues) No. 6-Customs, dated the 12th January 1935.

(6) Notification of the Government of India in the late Finance Department (Central Revenues) No. 108-Customs, dated the 20th August 1938.

(7) Notification of the Government of India in the late Finance Department (Central Revenues) No. 19-Customs, dated the 11th April 1934.

(8) Notification of the Government of India in the late Finance Department (Central Revenues) No. 30-Customs, dated the 1st May 1937.

(9) Notification of the Government of India in the late Finance Department (Central Revenues) No. 24-Customs, dated the 6th November 1943.

(10) Notification of the Government of India No. 4917, dated the 14th October 1890.

(11) Notification of the Government of India in the late Department of Commerce and Industry No. 4660-C, dated the 8th September 1905.

(12) Notification of the Government of India No. 2365-S.R., dated the 16th May 1900.

[No. 13.]

S.R.O. 171.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the late Finance Department (Central Revenues) No. 2112, dated the 2nd June 1924, namely:—

In the said notification the words, brackets and letters “(a) from Berar, or (b)” shall be omitted.

[No. 14.]

S.R.O. 172.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the late Finance Department (Central Revenues) No. 35-Customs, dated the 6th September 1930, namely:—

In the said notification, for the words “a Presidency town or Rangoon” the words “any of the ports of Calcutta, Madras and Bombay” shall be substituted.

[No. 15.]

S.R.O. 173.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of the notification of the Government of India in the late Department of Finance and Commerce No. 88-S, dated the 22nd March 1887, the Central Government hereby prohibits the bringing into India by sea or by land any piece of metal resembling in shape and in size, and stamped either on the obverse or on the reverse in imitation of, a rupee, half rupee, one quarter rupee, one eighth rupee, an anna, half an anna and a pice.

[No. 16.]

S.R.O. 174.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of the notification of the Government of India No. 6796, dated the 23rd November 1903, the Central Government hereby prohibits the bringing into India by sea or by land any dye stamped or engraved with the device of a coin as defined in section 230 of the Indian Penal Code, or with any colourable imitation of such device.

[No. 17.]

S.R.O. 175.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the late Finance Department (Central Revenues) No. 72-Customs, dated the 20th October 1934, namely:—

In the said notification, for the words figures and brackets “Chapter VII of the Matches (Excise duty) Order, 1934, or of the Northern India Matches (Excise Duty) Order, 1938,” the words and figures “Chapter V of the Central Excise Rules, 1944,” shall be substituted.

[No. 18.]

S.R.O. 176.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the late Finance Department (Central Revenues) No. 17-Customs, dated the 7th March 1936, namely:—

In the said notification, for the words, brackets, letter and figures "Clause (b) of section 2 of the Mechanical Lighters (Excise Duty) Act, 1934 (XXIII of 1934)," the words item 3 of the First Schedule to the Central Excises and Salt Act, 1944." (I of 1944) shall be substituted

[No. 19.]

New Delhi, the 24th January 1952

S.R.O. 177.—In exercise of the powers conferred by Section 111 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to prohibit the shipment for exportation to the foreign port of Diu of goods warehoused at any Customs port.

[No. 24.]

S.R.O. 178.—In exercise of the powers conferred by clause (b) of section 49 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to prohibit the payment of drawback upon the re-exportation of goods to the foreign port of Diu.

[No. 25.]

S.R.O. 179.—In exercise of the powers conferred by Section 134 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to prohibit the transshipment at any Customs port of goods which, if imported at such port, would be liable to import duty, or subject to any restriction on import, when the goods are destined for—

- (a) the foreign ports of Daman and Diu; or
- (b) any port in the Andaman or the Nicobar Islands; or
- (c) any Customs port in the State of Bombay other than the ports of Bombay and Okha.

2. The following notifications are hereby cancelled, namely:—

- (1) Government of India Notification No. 77, dated the 7th May 1879, Bombay Government Gazette, Part I page 530.
- (2) Government of India Notification No. 2276, dated the 3rd May 1888; Bombay Government Gazette, Part I, dated the 10th May 1888, page 414.
- (3) Government of India, Finance Department (Central Revenues) Notification R. Dis. No. 4-1 Cus/25, dated the 1st October 1925.
- (4) Government of India, Finance Department (Central Revenues) Notification No. 112, dated the 5th November 1927.
- (5) Government of India, Finance Department (Central Revenues), Notification No. 83-Customs, dated the 18th September 1937.

[No. 26.]

E RAJARAM RAO, Joint Secy.

CUSTOMS

New Delhi, the 24th January 1952

S.R.O. 180.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby directs that any of the goods of the description specified in the Schedule hereto annexed shall, when

imported into India, be exempt from the whole of the customs duty leviable thereon:

SCHEDULE

Description of goods

1. Tiller.
2. Steerage Hoe with Discs.
3. Steerage Hoe less Discs.
4. Sub-Soiler.
5. Potato Spinner.

[No. 23.]

D. P. ANAND, Dy. Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 28th January 1952

S.R.O. 181.—The following draft of certain further amendments to the Indian Income-tax Rules, 1922, which the Central Board of Revenue proposes to make in exercise of the powers conferred by sub-section (1) of section 59 of the Indian Income-tax Act, 1922 (XI of 1922) is published as required by sub-section (4) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 25th February 1952.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the said Board.

Draft Amendment

In the certificate to be furnished by the principal officer of a company prescribed in rule 14 of the said Rules for the words and figures beginning with the words "I/We hereby certify" and ending with the words "respectively, and" the following shall be substituted, namely:—

"I/We certify:

- A. (i) that the Company estimates that out of profits of the said period—
 - (a) . . . per cent. is chargeable at full Indian rate;
 - (b) . . . per cent. is chargeable at the reduced rate of . . . (Name of Part B State);
 - (c) . . . per cent. is chargeable in Pakistan;
- (ia) and that according to the Company's last completed assessment in India, the percentages of profits chargeable in India and Pakistan were:
 - (a) . . . per cent. chargeable at full Indian rates;
 - (b) . . . per cent. charged at the reduced rate of . . . (Name of Part B State); and
 - (c) . . . per cent. charged in Pakistan, and"

[No. 2.]

S. P. LAHIRI, Secy.

CUSTOMS

New Delhi, the 2nd February 1952

S.R.O. 182.—In exercise of the powers conferred by section 4 of the Land Customs Act, 1924 (XIX of 1924), the Central Board of Revenue hereby rescinds the following notifications, namely:—

1. No. 7-Customs, dated the 27th February 1948,

2. No. 28-Customs, dated the 1st April 1950,
3. No. 35-Customs, dated the 1st April 1950,
4. No. 64-Customs, dated the 8th July 1950,
5. No. 135-Customs, dated the 30th September 1950, and
6. No. 142-Customs, dated the 18th November 1950.

[No. 20.]

S.R.O. 183.—In exercise of the powers conferred by section 4 of the Land Customs Act, 1924 (XIX of 1924), the Central Board of Revenue hereby:—

- (a) establishes Land Customs Stations specified in Column 1 of the Schedule hereto annexed for the levy of duties of Land Customs in the land customs areas adjoining the frontiers of the Portuguese Settlements of Goa, Daman and Diu,
- (b) prescribes the routes specified in column 2 of the said Schedule as the routes by which alone any goods may pass by land out of or into the foreign territories of the Portuguese Settlements of Goa, Daman and Diu or to or from any Land Customs Stations specified in column 1 of the said Schedule from or to the frontier of the Portuguese Settlements of Goa, Daman and Diu as the case may be,

Provided that nothing in clause (b) shall apply to goods to which sub-section (1) (2) and (3) of Section 5 of the said Act are, by virtue of a notification issued under sub-section (4) of the said section, for the time being inapplicable.

SCHEDULE

Land Customs Stations 1	Routes by which alone goods shall pass 2
	<i>Goa Frontier.</i>
1. Kiranpani Naka	The road leading from the wharf on the Terekhol creek to Aronda village.
2. Satarda Naka	The road leading from the landing place on the Terakhhol creek to Satarda village.
3. Banda Naka	The road leading from Banda village to the Portuguese Frontier.
4. Natarda Naka	The road leading from the Natarda village to the Portuguese Frontier.
5. Dodamarg Customs House	The road leading from Dodamarg village to the Portuguese Frontier.
6. Ain Naka	The road leading from Ain village to the Portuguese Frontier.
7. Chorla Naka	The road leading from the Portuguese Frontier up the Virldhi Ghat to Kunkumbi village.
8. Kunkumbi Naka	The road leading from Chowki No. 8 (Kunkumbi) to Chowki No. 10 (Parwad) and thence by the Parwad Goa (Chanded Suryacha) Ghat Road.
9. Talewadi Naka	The road leading from the Portuguese Frontier up the Ked Ghat to Talewadi village.
10. Anmode Customs House	The Dharwar Goa Frontier Road.
11. Castle Rock Customs House	The Railway line leading up to Castle Rock Railway Station on the West of India Portuguese Guaranteed Railway.
12. Diggi Naka	The road leading from the Portuguese Frontier up the Diggi Ghat to Diggi village.

Land Customs Station 1	Routes by which alone goods shall pass 2
13. Kundal Naka	The road leading from the Portuguese Frontier up the Poy Ghat to Kundal village.
14. Majali Naka	The main road leading from the Portuguese Frontier to Sadachivgad and Karwar.
<i>Daman Frontier</i>	
1. Kunta Naka	The main road from Daman to Daman Road Station, near Kunta village.
2. Challa Customs House	The main road from Daman to Daman Road Station, near Chawki No. 15 of the Namdha Beat.
3. Bagwada Naka	The cart track to the north-east of Chawki No. 9 in the fair season and the foot-path to the south of Chawki No. 10 during the monsoon on the Bagwada Beat.
4. Kolak Naka	The footpath to the west of Chawki No. 2 of the Bagwada Beat.
5. Patharpunja Naka	The cart track to the north of Chawki No. 24 of the Namdha Beat.
6. Kalai Naka	The footpath to the south of the Chawki No. 29 of the Namdha Beat.
<i>Diu Frontier</i>	
1. The Emadpur Mandvi Customs House	The main road from Diu to Delvada Railway Station near Emadpur Mandvi Customs House.
2. Tad Naka	The road leading from Creek to Tad Naka and passing to Bhadasl.
3. Kotda Naka	The main road passing over the Creek from Vanakbara to Kotda.

[No. 21.]

S.R.O. 184.—In exercise of the powers conferred by section 4 of the Land Customs Act, 1924 (XIX of 1924), the Central Board of Revenue hereby—

- (a) establishes the Land Customs Stations specified in column 1 of the Schedule hereto annexed for the levy of duties of land customs in the land customs areas adjoining the frontiers of Pakistan, and
- (b) prescribes the routes specified in column 2 of the said schedule as the routes by which alone any goods may pass by land out of or into the Dominion of Pakistan or to or from any Land Customs Station specified in column 1 of the said Schedule from or to the frontiers of Pakistan.

SCHEDULE

Land Custom Stations. 1	Routes by which alone goods shall pass. 2
A. LAND CUSTOMS AREAS UNDER THE JURISDICTION OF THE COLLECTOR OF LAND CUSTOMS, DELHI.	
<i>Delhi</i>	
Delhi Railway Station	(a) Delhi-Amritsar-Lahore. Railway line. (b) Delhi-Ferozepur-Lahore Railway line. (c) Delhi-Abohar-Mcleodganj Railway line.

Amritsar District

Amritsar Railway Station	Amritsar-Attari-Lahore Railway Line.
Attari Road	Amritsar-Attari-Lahore Road.
Attari Railway Station	Amritsar-Attari-Lahore Railway Line.
Khalra	Patti-Khalra-Lahore Road.
Khem Karan Road	Khem Karan-Kasur metalled road.
Khem Karan Railway Station	Amritsar-Khem Karan-Kasur Railway Line.

Ferozepur District

Hussainiwala	Ferozepur-Kasur road.
Abohar	Bathinda-Mcleodganj railway line.

Jodhpur Division

Barmer Railway Station	Barmer-Gadra Road-Munabao Railway Line—then by Katcha track along the Railway line up to the border on way to Khokropar Railway Station in Pakistan.
Munabao Railway Station	Barmer-Gadra Road-Munabao Railway Line—then by Katcha track along the Railway line up to the border on way to Khokropar Railway Station in Pakistan.

Bikaner Division

Hindumalkote	(i) Sri Ganganagar-Hindumalkote Road and (ii) Katcha tracks leading to Pakistan
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B. LAND CUSTOMS AREAS UNDER THE JURISDICTION OF THE COLLECTOR OF LAND CUSTOMS, PATNA.*Purnea District*

Haftiagachh	(a) The main road leading from Islampur Railway Station to Tentulia via Barabilla. (b) The main road leading from Goabari to Tentulia via Barabilla. (c) The main road leading from Talbpur Railway Station to Tentulia via Haftiagachh.
Debiganj	The main road leading from Kishanganj to Jagdal (in Pakistan) via Biprit Debiganj.
Katihar Railway Station	(a) Katihar-Parbatipur Railway line. (b) Katihar-Godagori Railway line.

C. LAND CUSTOMS AREAS UNDER THE JURISDICTION OF THE COLLECTOR OF LAND CUSTOMS, CALCUTTA.*West Dinajpur District*

Hili (West)	(a) The main road leading from Hili to Ghoraghat. (b) That portion of the Phakirganj-Bogra road lying between Aptair and Hili. (c) That portion of the Jamuna river lying between Aptair and Hili.
Radhikapur Railway Station	(a) The Katihar-Parbatipur Railway line. (b) The main road leading from Kailaganj passing to Dinajpur through Gotgaon.

Malda District

Singabad Railway Station

The Katihar-Godagari section of the O. T. Railway passing through Singabad.

Kumarpur

(a) The main road leading from Non-English Bazar P.S. to Bholahat P.S. through Kumarpur.

(b) The road leading from English Bazar P.S. passing by Krishnapur to Bholahat P.S.

Murshidabad District

Dhulianganges

The river route from Jeolmari Ghat to Pakistan across the Ganges.

Aurangabad

The river route from Aurangabad to Pakistan across the Ganges.

Lalgolaghat

The western side of the Padma river from Aurangabad to Dayarampur in Jalangi P.S.

Jalangi

The road leading from Domkal passing through Jalangi to Daulatpur P.S.

Katlamari

That portion of river Padma lying in the Indian Union and all river routes to East Pakistan through river Padma.

Krishnanagar District

Bonpur Railway Station

The Sealdah-Poradaha Railway Line.

Ranaghat Railway Station

(a) the Sealdah-Poradaha Railway Line and the Calcutta-Khulna Railway Line passing through Bongaon.

(b) The Sealdah-Lalgola Railway Line.

Sikarpur

The road leading from Krishnagar to Bheramara via Sikarpur.

Betai

The main road leading from Betai to Meharpur in Pakistan.

24-Parganas District

Haridaspur

The main road leading from Calcutta passing through Haridaspur and Patrapol to Sarsa P.S. in Jessore.

Bongaon Railway Station

The Calcutta-Khulna Railway Line passing through Bongaon.

Itinda

(a) The main road leading from Itinda passing through Ghoadanga to Satkhira.

(b) The Icchhamati river from Itinda to the border and the western half of the Icchhamati from the border of Hasnabad.

Hasnabad

The Katakhlil canal falling into the Icchhamati river through Hasnabad.

Hingulganj

(a) The western half of the Icchhamati river from Hasnabad to Hingulganj.

(b) The main road leading from Hasnabad to Hingulganj ferry-ghat.

Naihati Railway Station

(a) The Sealdah-Poradaha Railway Line, and the Calcutta-Khulna Railway Line passing through Bongaon.

(b) The Sealdah-Lalgola Railway Line.

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Ultadangi Railway Station	(a) The Sealdah-Poradaha Railway Line and the Calcutta-Khulna Railway Line passing through Bongaon. (b) The Sealdah-Lalgola Railway Line.
<i>Howrah and Calcutta Area</i>	
Sealdah Railway Station	(a) The Sealdah-Poradaha Railway Line and the Calcutta-Khulna Railway Line passing through Bongaon. (b) The Sealdah-Lalgola Railway Line.
Howrah Railway Station	(a) The Sealdah-Poradaha Railway Line and the Calcutta-Khulna Railway Line passing through Bongaon. (b) All railway routes to western Pakistan.
Cossipur Railway Station	(a) The Sealdah-Poradaha Railway Line and the Calcutta-Khulna Railway Line passing through Bongaon. (b) The Sealdah-Lalgola Railway Line.
Chitpur Railway Station	(a) The Sealdah-Poradaha Railway Line and the Calcutta-Khulna Railway Line passing through Bongaon. (b) The Sealdah-Lalgola Railway Line.
Sahebbazar Railway Station	(a) The Sealdah-Poradaha Railway Line and the Calcutta-Khulna Railway Line passing through Bongaon. (b) The Sealdah-Lalgola Railway Line.
Rathtala Railway Station	(a) The Sealdah-Poradaha Railway Line and the Calcutta-Khulna Railway Line passing through Bongaon. (b) The Sealdah-Lalgola Railway Line.
Nimtola Steamer Station and railway siding	(a) The Sealdah-Poradaha Railway Line and the Calcutta-Khulna Railway Line passing through Bongaon. (b) The Sealdah-Lalgola Railway Line. (c) The river routes from Calcutta to Goalundo and Khulna via Namkhana.
Jaganathghat steamer station	The river routes from Calcutta to Goalundo and Khulna via Namkhana.
Baghbazar Railway Station	(a) The Sealdah-Poradaha Railway Line and the Calcutta-Khulna Railway Line passing through Bongaon. (b) The Sealdah-Lalgola Railway Line.
Armenian and Kulpathlaghat steamer station	The river routes from Calcutta to Goalundo and Khulna via Namkhana.
T. T. Shed (Kidderpore)	The river routes from Calcutta to Goalundo and Khulna via Namkhana.
Kantapukur Railway Station	(a) The Sealdah-Poradaha Railway Line and the Calcutta-Khulna Railway Line passing through Bongaon. (b) The Sealdah-Lalgola Railway Line.
Bengal River Service Godown (Next to Nimtola Ghat)	The river routes from Calcutta to East Pakistan via Namkhana.
C'Shed King George's Dock	The river routes from Calcutta to Assam through Pakistan via Namkhana.
Shalimar Coal Depot	The river routes from Calcutta to East Pakistan via Namkhana.
Howrah Coal Depot	Ditto.

Cooch-Behar District

Gitaldaba Railway	(a) The Lalmonirhat-Amingaon line of Assam Railway. (b) The Cooch-Behar-Jainti branch line of Assam Railway. (c) The Rajabhat-Khawa-Dalsingpara branch line of Assam Railway.
Road	The main road leading from Gitalda to Mogolhat in Eastern Pakistan across the Dharla river.
River	The river route from Gitalda to Mogolhat in East Pakistan across Dharla and the portion of the river between Gitalda and Bhorampayasthi.
Haldibari Railway Road	The Siliguri-Parbatipur Railway line. The main roads from Haldibari to Boda in East Pakistan via Manikganja and to Chlalahat in East Pakistan.
Changrabandha Railway	The Changrabandha-Patgram Railway Line.
Road	(a) The main road from Changrabandha to Patgram in East Pakistan. (b) The main road from Changrabandha to Jamalaha in Cooch-Behar via Pakistan. (c) The main road from Chandrabandha to Mekhiganja in Cooch-Behar via Pakistan.
Cooch-Behar Railway	(a) The Cooch-Behar-Sonahat Railway Line. (b) The Cooch-Behar-Lalmonirhat Railway Line.

D. LAND CUSTOMS AREAS UNDER THE JURISDICTION OF THE COLLECTOR OF LAND CUSTOMS, SHILLONG.*Dhubri Circle*

Golakgunj Railway Station	Railway line from Golakgunj to Sonahat Railway Station.
Dhubri Steamer Ghat	Dhubri-Rowmari— Bahadurabad section of the steamer route on the river Brahmaputra.
Mankachar	(a) Kalo river from the approach of Tura road to the Jinjiran river. (b) Tura-Rowmari road.
Dalu	(a) Ghugai river. (b) Dalu-Nalitabari road.
Bagmara	(a) Someswari river. (b) Bagmara-Durgapur road.

Shillong Circle

Shella bazar	Shella river.
Bholagunge	(a) Dolai river. (b) P.W.D. bridle path from Bholagunge to Companygunge.
Dawki	(a) Plang river. (b) Shillong-Sylhet road.
Borsora	(a) Borsora Taherpur road (b) Jadukata river.

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Gauhati Steamerghat	Rowmari-Dhubri-Gauhati section of the steamer route on the river Brahmaputra.
Neamoti Steamerghat	Romwari-Dhubri-Gauhati-Neamoti section of the steamer route on the river Brahmaputra.
Desangmukh Steamerghat	Rowmari-Dhubri-Gauhati-Neamoti-Desangmukh section of the steamer route on the river Brahmaputra.
Silchar Steamerghat	Fenchuganj-Silchar section of the steamer route on the river Barack.

Karimganj Circle

Karimganj Railway Station	Karimganj-Kulaura Railway Line.
Karimganj Steamerghat	} Kushlari river.
Karimganj Ferry Station	
Sutarkandi	Sylhet-Karimganj Trunk road.
Mahisasan railway station	Railway line from Karimganj to Latu R.S.
Kukital	Potharkand-Juri road.

Agartala Circle

Ragna (in Dharamnagar Division)	(i) the motorable road from Dharamnagar to Ragna. (ii) the portion of the Juri River lying between Dharamnagar and Ragna.
Manu (in Kailashahar Division)	(i) River Manu from Fatikrai to Manughat. (ii) the foot track from Taklrambari to Manughat. (iii) the foot track from Fatikrai to Manughat. (iv) motorable road from Kailashahar to Samshernagar.
Dhalalghat (in Kamalpur Sub-Division)	(i) the river Dhalai from Halahali to Dhalai checking Station. (ii) the road from Halahali to Kamalpur.
Khowaighat (in Khowai Division)	(i) the river Khowai from Teliamura to Khowaighat. (ii) the road from Kalyanpur to Khowai-ghat.
Agartola (in Sadar Division)	the road between Agartola and Akbaura Road Police outpost.
Kamthana (in Sadar Division)	the portion of the Burliganga river from Bisalgarh to Kamthana.
Savarmuraghat (in Sonamura Division)	(i) the river Gumti. (ii) Udalpur-Comilla Road.
Muhurighat (in Belonia Division)	(i) the river Muhuri upto Muhurighat. (ii) the road from Muhurighat leading to Belonia Railway Station.
Amlighat (in Subroom Division)	(i) Teni river. (ii) the road from Amlighat leading to Subhapur.

E. LAND CUSTOMS AREAS UNDER THE JURISDICTION OF COLLECTOR OF LAND CUSTOMS BOMBAY.

Mavsari Naka	Via Mavsari Naka.
Asszra Naka	Via Asszara Naka.
Suigam Naka	Via Suigam Naka.
Jojham Naka	Via Jajham Naka.
Gokhantar Naka	Via Gokhantar Naka.
Santalpur Naka	Via Santalpur Naka.

F. LAND CUSTOMS AREAS UNDER THE JURISDICTION OF COLLECTOR OF LAND CUSTOMS JAMNAGAR.

Bela	Road from Nagarparkar (Sind) to Bela.
Lodhrani	Road from Nagarparkar (Sind) to Lodhrani.
Khavda Naka	Road from Diplo to Khavda.
Luna	Road from Rahimkibazar to Luna.
Lakhpat	Road leading from Jati and Bajnadini to Lakhpat.

[No. 22]

D. P. ANAND, Secy.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 24th January 1952

S.R.O. 185.—Corrigendum—In the Ministry of Commerce and Industry Notification No. S.R.O. 2078, dated the 29th December 1951, published at pages 2194-2195 of the Gazette of India, Part II section 3, for the words, figure and letter "In clause 20-A" appearing against item (2) read the words, figure and letter "In clause 20-B".

[No. 9(4)-CT(A)/52.]

Bombay, the 2nd February 1952

S.R.O. 186.—In exercise of the powers conferred upon me by clause 6 of the Cotton Control Order, 1950, I hereby direct that the following further amendment shall be made in the Notification of the Textile Commissioner No. S.R.O. 1793, dated the 21st November, 1951, namely:—

In the schedule appended to the said Notification after the entry "Uttar Pradesh" the following entry shall be added, namely:—

"The Surat District, the Ankleshwar Taluka of the Broach District and the Nawapur Taluka of the West Khandesh District of the Bombay State".

[No. 44(25)CT(A)/51(XIV).]

S.R.O. 187.—In exercise of the powers conferred on me by sub-clause (1) of clause 3 of the Cotton Control Order, 1950, I hereby direct that the following further amendment shall be made in the Notification of the Textile Commissioner No. S.R.O. 1618, dated the 20th October, 1951, namely :—

In the said Notification, in Schedule 'B', after the entry relating to Uttar Pradesh, the following entries shall be added, namely :—

1	2	3	4	5	6
Bombay State					
1. Ankleshwar Jhagadia Netrang Rajpipla Nawapur	}	Surat	26/32"	Super- fine	Rs. 975/- per candy of 784 lbs.
2. Kira Kosamba Mangrol Elav Hansot Valia		Do.	27/32"	Super- fine	Rs. 1,000/- per candy of 784 lbs.
3. Surat Chalthan Madhi Bardoli Navsari Billimora Maroli Dholikava		Do.	28/32"	Super- fine	Rs. 1,025/- per candy of 784 lbs.

T. SWAMINATHAN,
Textile Commissioner.
[No. 44(25)CT(A)/51(XV).]

S. A. TECKCHANDANI, Under Secy.

New Delhi, the 28th January 1952

S.R.O. 188.—In exercise of the powers conferred by sections 7 and 19 of the Supply and Prices of Goods Act, 1950 (LXX of 1950) read with section 27 of the said Act, the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the late Ministry of Industry and Supply No. S.R.O. 979, dated the 17th November 1950, namely :—

In the Schedule to the said notification, from the list of goods relating to Bicycle parts and accessories, the following items shall be omitted, namely :—

"Steel Balls— 1/8", 5/32", 3/16" and 1/4", "hub cups" and "pedal cones".

[No. PC-15(5)/50.]

ORDERS

New Delhi, the 28th January 1952

S.R.O. 189.—In exercise of the powers conferred by section 22 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), the Central Government hereby directs that the powers conferred on it by clause (b) of section 13, sub-section (1) of section 16, section 17 and sub-section (2) of section 19 of the said Act shall be exercisable also in the State of Saurashtra by the Government of Saurashtra.

[No. 2(2)-PC/52.]

S.R.O. 190.—In exercise of the powers conferred by section 22 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), the Central Government hereby

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directs that the powers conferred on it by clause (b) of section 13, sub-section (1) of section 16 and section 17 of the said Act shall be exercisable also in the State of Rajasthan by the Government of Rajasthan.

[No. 2(2)-PC/52.]

P. S. SUNDARAM, Under Secy.

New Delhi, the 30th January 1952

S.R.O. 191.—In exercise of the powers conferred by sub-clause (a) of Clause 2 of the Iron and Steel (Control of Production and Distribution) Order, 1941, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply No.I(1)-4(41), dated the 7th September 1950, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

"All Collectors of the Districts in Rajasthan."

[No. SC(A)-4(121).]

S.R.O. 192.—In exercise of the powers conferred by sub-clause (b) of Clause 2 of the Iron and Steel (Scrap Control) Order, 1943, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply No. I(1)-4(78)A, dated the 6th January 1951, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

"All Collectors of the Districts in Rajasthan."

[No. SC(A)-4(121)/A.]

N. R. REDDY, Under Secy.

TEA CONTROL

New Delhi, the 30th January 1952

S.R.O. 193.—In exercise of the powers conferred by sub-section (3) of section 8 of the Provident Funds Act, 1925 (XIX of 1925), the Central Government hereby adds to the Schedule to the said Act the name of the following public institution, namely:—

"The Indian Tea Licensing Committee"

[No. 217(2)(Tea)(Plant)/50(I)]

S.R.O. 194.—In exercise of the powers conferred by sub-section (2) of section 8 of the Provident Funds Act, 1925 (XIX of 1925), the Central Government hereby directs that the provisions of the said Act shall apply to the Provident Fund established for the benefit of the employees of the Indian Tea Licensing Committee.

[No. 217(2)(Tea)(Plant)/50(II)]

S.R.O. 195.—The following by-laws which have been made by the Indian Tea Licensing Committee in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Tea Control Act, 1938 (VIII of 1938), read with rule 15 of the Indian Tea Control (Licensing Committee) Rules, 1938, and with the previous sanction of the Central Government as required by sub-section (2) of the said section, are hereby published for general information:—

INDIAN TEA LICENSING COMMITTEE (PROVIDENT FUND) BY-LAWS, 1952.

1. These by-laws may be called the Indian Tea Licensing Committee (Provident Fund) by-laws, 1952.

2. In these by-laws—

(a) "Family" means—

- (i) in the case of a male subscriber, the wife or wives and children of a subscriber, and the widow or widows and children of a deceased son of the subscriber;

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which the parties belong to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these by-laws relate, unless the subscriber subsequently indicates by express notification in writing to the Committee that she shall continue to be so regarded,

- (ii) In the case of a female subscriber, the husband and children of a subscriber; and the widow or widows and children of a deceased son of a subscriber;

Provided that if a subscriber by notification in writing to the Committee expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these by-laws relate unless the subscriber subsequently cancels formally in writing her notification excluding him.

Note 1.—"Children" means legitimate children.

Note 2.—An adopted child shall be considered to be a child when under the personal law of the subscriber, adoption is legally recognised as conferring the status of a natural child.

- (b) "salary" means basic pay and includes leave salary;

(c) "servant of the Committee" means a salaried officer or servant of the Committee, other than a Government servant whose services have been lent or transferred to the Committee;

- (d) "the Act" means the Indian Tea Control Act, 1938;

(e) "The Fund" means the Provident Fund constituted and established under these by-laws; and

- (f) "member" means a member of the Fund.

3. The Fund shall be deemed to have been constituted and established as from the 1st day of April, 1951, for the benefit of all servants of the Committee except such servants as the Committee may in their discretion decide not to admit to Membership thereof.

4. (1) Subject to the provisions of by-law 3, every servant of the Committee in receipt of a salary in excess of Rs. 20 per month shall become a member of and contribute to the Fund. Every servant of the Committee in receipt of a salary of Rs. 20 per month or less may at his option become a member of, and subscribe to, the Fund.

(2) The subscriptions to the Fund shall be at the rate of one-twelfth of the monthly salary of each member:

Provided that in the case of a member employed for a term of years under a specific Agreement, the rate shall be such rate not exceeding one-twelfth as may be provided in the Agreement.

(3) The Committee shall have the power to deduct from the salary of any member such sum as may be required to pay any contribution due by him to the Fund.

4. The Fund shall consist of (1) subscriptions and contributions which are to be carried to the Fund in accordance with these by-laws, (2) such additions to the Fund as the Committee may at any time and from time to time decide to make, (3) the income of the Fund and (4) the income from investments made under by-laws 6.

5. The Fund shall be vested in and managed by the Committee and these by-laws shall be interpreted by the Committee whose decision shall be final and binding upon the members.

6. All moneys (including the net income of the Fund for the time being available for distribution) from time to time received by the Committee and not presently required for making any payments pursuant hereto, may be utilised by the Committee and shall be deemed to be a loan from the Fund carrying interest at five per cent. per annum, and the Committee may at any time repay any such

loan, and any moneys which the Committee may not desire to utilise or which may have been so repaid by the Committee may be invested in any security in or upon which trust moneys may lawfully be invested under the Indian Trusts Act, 1882, or may be placed on deposit with any bank or banks approved by the Central Government. All such investments may at any time be varied or transferred into or for others of a like nature as may seem expedient to the Committee.

7. The Committee shall contribute to the Fund on the 31st day of March in each year a sum which shall be equal to 64 per cent. of the aggregate of the salaries drawn by the members during the year ending that date.

8. A separate account in Form A of the First Schedule to these by-laws shall be maintained for each member and such account shall show:—

- (a) the member's subscription;
- (b) the amount which the Committee may credit under by-law 10 as income derived from such subscriptions;
- (c) the member's share of the Committee's contribution and of such additions to the Fund as the Committee may, in their discretion, decide to make; and
- (d) the amount which the Committee may credit under by-law 11 as income derived from the member's share of the Committee's contribution and additions.

9. All sums to the credit of each member on the 31st March 1951, in his Bonus Account in the Indian Tea Licensing Committee Bonus Scheme shall be transferred to Column 4 of the account to be maintained in Form A under by-law 8 of these by-laws.

10. All expenses of the Fund shall be met from the income of the fund.

11. So much of the income of the Fund as the Committee may from time to time decide as available for distribution shall be credited on the 31st day of March in each year to the accounts of the members in the manner following, that is to say, in column 3 of the account referred to in by-law 8, there shall be credited to each member a sum bearing the same proportion to the total sum made available for distribution by the Committee as the net income earned by the total subscriptions to the Fund of the members in column 2 bears to the total subscriptions to the Fund at the date of such crediting, and in column 5 shall be credited to each member a sum bearing the same proportion to the balance of the income so made available as aforesaid as the amount standing to the credit of the member in column 4 bears to the total amount standing to the credit of all members in that column at the date of such crediting:

Provided that the amount credited to the account of each member in column 3 shall not be less than the amount which would have been earned by the subscriptions of members in column 2, if these subscriptions had been deposited in the Post Office Savings Bank from time to time as received.

12. The accounts of the Fund shall be made up yearly to the 31st day of March.

13. On the 31st day of March in every year the investments of the Fund shall be valued and any difference between the value so found and the value of the same investments on the preceding 31st day of March and between the value so found of any investments purchased during the preceding 12 months and the purchase price of such investments shall be transferred to a separate account to be called "The Investment Fluctuation Account". When the amount standing to the credit of a member shall become payable, the amount shall be reduced by a sum that bears the same proportion to the sum standing to his credit as the amount standing to the debit of the Investment Fluctuation Account shall bear to the value of the said investments as found on the preceding 31st day of March. If the said Investment Fluctuation Account shall be at credit, the amount standing to the credit of the member only shall be payable to him.

14. Any amount which the Committee shall decide to treat as lapses and forfeitures shall be transferred to a separate account to be called "The Lapse and Forfeiture Account" and shall be used and applied by the Committee as a Reserve Fund to meet any loss or depreciation of or in the investments for the time being of the Fund. Any profit arising on any of the said investments shall be transferred to the Lapse and Forfeiture Account. If and when the Committee shall be of the opinion that the amount to the credit of the Lapse and Forfeiture Account is sufficient to meet any possible loss or depreciation of or in the said

Investments, the surplus, if any, may be divided amongst the members in such proportion as the Committee may decide

15. (1) When the amount standing to the credit of a member, who has been dismissed from the service of the Committee becomes payable, the Committee may direct that the whole or any part of the contribution of the Committee, and of any interest accrued thereon shall be deducted from the amount standing to the credit of the member and such amount shall be transferred to the Lapse and Forfeiture Account.

(2) When the amount standing to the credit of a member becomes payable, the Committee may direct that any amount due under a liability incurred by the member to the Committee up to the total amount of the contributions of the Committee to the account of the member with interest thereon, shall be deducted from the amount payable to the member and that the amount so deducted shall be paid to the Committee or to the Fund as the case may be.

(3) When the amount standing to the credit of a member becomes payable on his resignation from the service of the Committee before having completed five years therein, the Committee may direct that the whole or any part of the contributions of the Committee to the credit of the account of such member and of any interest accrued thereon, shall be deducted from the amount standing to the credit of the member and the amount so deducted shall be transferred to the Lapse and Forfeiture Account. Ordinarily the Committee shall not direct any such deduction to be made in a case where (a) the member shall have been transferred with the previous consent of the Committee to permanent Government service and (b) a member establishes to the satisfaction of the Committee that his retirement is necessitated by incapacity for further service.

16. Subject to any adjustment under by-law 13 and to any deduction under by-law 15, the amount standing to the credit of a member shall become payable only on the death or on the retirement from the service of the Committee of the member.

17. The Committee may at any time and from time to time make a temporary advance to a member from the amount standing to his credit in the Fund in respect of his own subscriptions subject to the following conditions—

(a) No advance shall be granted unless the Committee is satisfied that the applicant's pecuniary circumstances justify it and an undertaking is given that it will be expended on the following object or objects and not otherwise—

(i) to pay expenses incurred in connection with the prolonged illness of the applicant or any member of his family or any person actually dependent on him,

(ii) to pay for the overseas passage for reasons of health or education of the applicant or any member of his family,

(iii) to pay obligatory expenses on a scale appropriate to the applicant's status in connection with marriages, funerals or ceremonies which by his religion it is incumbent on him to perform.

(b) An advance may also be sanctioned for other good reason if the necessity for such an advance is urgent and established to the satisfaction of the Committee.

(c) An advance shall not except for special reasons exceed 66-2/3rd per cent of the amount of subscription and interest thereon standing to the credit of the subscriber.

(d) A second advance shall ordinarily not be granted if a previous advance together with interest thereon is still outstanding against a subscriber

A second advance might be granted in special cases, provided the combined sum of the amount outstanding from the first advance and the amount of the second advance does not exceed the amount admissible under clause (c) above.

(e) Advances granted shall carry interest simple or compound at such a rate, and shall be repaid in such monthly instalments, as the Committee may direct

18. (1) The account of a member shall be closed

(a) in the event of his death, on the next day thereafter;

(b) in the event of retirement or dismissal from service of the Committee on the day thereof.

(2) When the account of a member is closed, such amount if any, as the Committee may decide, shall be added thereto in respect of interest and the contributions of the Committee for the period from the 31st day of March preceding the death, retirement or dismissal, as the case may be, of the member to the date of the closing of his accounts.

(3) Interest on the amount standing to the credit of a member when his account is closed shall be payable till the end of the month preceding that in which payment of such amount is made or till the end of the sixth month after the month in which such amount became payable, whichever is earlier:

Provided that no interest shall be payable after the date which the Committee has intimated to the person entitled to receive payment, or his agent, as the date on which the Committee is prepared to make payment in cash or after the date on which a cheque for the amount in favour of that person is posted to his address.

19. (1) A subscriber shall, as soon as may be after joining the Fund, send to the Secretary to the Committee a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death before that amount has become payable, or having become payable, has not been paid:

Provided that if at the time of making the nomination the subscriber has a family, the nomination shall not be in favour of any person or persons other than the members of his family.

(2) If a subscriber nominates more than one person under clause (1), he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time

(3) Every nomination shall be in such one of the Forms set forth in the Second Schedule as is appropriate in the circumstances.

(4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Secretary to the Committee:

Provided that the subscriber shall along with such notice send a fresh nomination made in accordance with the provisions of this by-law.

(5) A subscriber may provide in a nomination—

(a) in respect of any specified nominee that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person as may be specified in the nomination;

(b) that the nomination shall become invalid in the event of the happening of a contingency specified therein; provided that if at the time of making the nomination the subscriber has no family he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family.

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under sub-clause (a) of clause (5) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of sub-clause (b) of clause (5) or the proviso thereto, the subscriber shall send to the Secretary to the Committee a notice in writing cancelling the nomination together with a fresh nomination made in accordance with the provisions of this by-law.

(7) Every nomination made, and every notice of cancellation given, by a subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Secretary to the Committee.

20. Subject to any adjustment under by-law 13, and to any deduction under by-law 15 on the death of a subscriber before the amount standing to his credit

has become payable, or where the amount has become payable, before payment has been made—

(1) When the subscriber leaves a family—

- (a) If a nomination made by the subscriber in accordance with the provisions of by-law 19 in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination;
- (b) If no such nomination in favour of a member or members of the family of the subscriber subsists, or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family, become payable to the members of his family in equal shares;

Provided that no share shall be payable to—

- (1) sons who have attained legal majority;
- (2) sons of a deceased son who have attained legal majority;
- (3) married daughters whose husbands are alive;
- (4) married daughters of a deceased son whose husbands are alive;

If there is any member of the family other than those specified in clauses (1), (2), (3) and (4).

Provided also that the widow or widows and child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso.

NOTE.—Any sum payable under these by-laws to a member of the family of a subscriber vests in such member under sub-section (2) of section 3 of the Provident Funds Act, 1925.

(ii) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of by-law 19 in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

NOTE 1.—When a nominee is a dependent of the subscriber as defined in clause (c) of section 2 of the Provident Funds Act, 1925, the amount vests in such nominee under sub-section (2) of section 3 of that Act.

NOTE 2.—When the subscriber leaves no family and no nomination made by him in accordance with the provisions of by-law 19 subsists, or if such nomination relates only to a part of the amount standing to his credit in the Fund, the relevant provisions of clause (b) and of sub-clause (ii) of clause (c) of sub-section (1) of section 4 of the Provident Funds Act, 1925, are applicable to the whole amount or the part thereof to which the nomination does not relate.

21. Every member shall sign an agreement in Form B of the First Schedule to these by-laws, agreeing to abide and be bound by these by-laws.

22. (1) The Fund may be wound up if the Committee be dissolved by notification under section 9 of the Indian Tea Control Act, 1938, or on the expiry of the Act.

(2) In the event of the Fund being wound up the Fund shall be divided amongst the members by payment to each member of a sum which shall bear the same proportion to the aggregate market value of the securities and uninvested cash (if any) constituting the Fund on the date of such division as the amount standing to the credit of the member in his individual account on the date of such division bears to the aggregate of the amounts standing to the credit of the individual accounts of all the members on the same date. The amount, if any, standing to the credit of the Lapse and Forfeiture Account constituted under by-law 13 shall also be divided amongst the members in such proportion as the Committee may decide.

23. The Indian Tea Licensing Committee (Bonus Scheme) By-Laws, 1940, are repealed.

FIRST SCHEDULE

(See by-law 8)

Form "A"**INDIAN TEA LICENSING COMMITTEE PROVIDENT FUND***Form of Member's Account*

Name of Employee.....

Date	Member's contributions	Annual addition on account of income of Member's contribution	Committee's annual contributions and other additions	Income on Committee's contributions and additions	Initials of controlling Officer	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

FORM "B"*Form of Agreement (by-laws 21)*

I hereby declare that I have read the Indian Tea Licensing Committee Provident Fund by-laws and that I agree to abide and be bound by them.

Dated this day of 19 at

Name in full.....

Date of Birth.....

Date of joining appointment.....

Nature of appointment.....

Salary per mensem Rs. Rupees.....

Signature.....

Witness.

Name { Address
Occupation

Witness.

Name { Address
Occupation

SECOND SCHEDULE

(See by-law 19(3))

Forms of Nomination

I. When the subscriber has a family and wishes to nominate one member thereof.

I hereby nominate the person mentioned below, who is a member of my family as defined in by-law 2 of the Indian Tea Licensing Committee Provident Fund by-laws, 1952, to receive the amount that may stand to my credit in the

Fund, in the event of my death before that amount has become payable, or having become payable, has not been paid:—

Name and Address of nominee	Relationship with subscriber	Age	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person if any, to whom the right of the nominee shall pass in the event of his pre-deceasing the subscriber

Dated this day of 19 at
Signature of subscriber.. ..

Two witnesses to signature.

1.
2.

II. When the subscriber has a family and wishes to nominate more than one member thereof.

I hereby nominate the persons mentioned below, who are members of my family as defined in by-law 2 of the Indian Tea Licensing Committee Provident Fund by-laws, 1932, to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid, and direct that the said amount shall be distributed among the said persons in the manner shown below against their names:—

Name and address of nominees	Relationship with subscriber.	Age	Amount or share accumulations to be paid to each	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person, if any to, whom the right of the nominee shall the pass in the event of his pre-deceasing the subscriber

Dated this day of 19 at
Signature of subscriber.....

Two witnesses to signature.

1.
2.

*Note.—This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at anytime.

III. When the subscriber has no family and wishes to nominate one person.

I, having no family as defined in by-law 2 of the Indian Tea Licensing Committee Provident Fund by-law, 1952, hereby nominate the person mentioned below to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid:—

Name and address of nominee	Relationships with subscriber	Age	Contingencies** on the happening of which the nomination shall become invalid	Name, address and relationship of the person, if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber

Dated this day of 19 at

Signature of subscriber.....

Two witnesses to signature

1.

2.

****NOTE.**—Where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

IV. When the subscriber has no family and wishes to nominate more than one person.

I, having no family as defined in by-law 2 of the Indian Tea Licensing Committee Provident Fund by-law, 1952, hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable, or having become payable has not been paid, and direct that the said amount shall be distributed among the said persons in the manner shown against their names:—

Name and address of nominees	Relationship with subscriber	Age	Amount of share of accumulations to be paid to each*	Contingencies** on the happening of which the nomination shall become invalid	Name, address and relationship of the person if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber

Dated this day of 19 at

Signature of subscriber.....

Two witnesses to signature

1.

2.

***NOTE.**—This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

****NOTE.**—Where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family

[No 217(2)(Tea) Plantation/50(III)]

M. R. A. BAIG, Dy. Secy.

MINISTRY OF FOOD AND AGRICULTURE

AGRICULTURE

New Delhi, the 28th January 1952

S.R.O. 196.—In exercise of the powers conferred by sub-section (1) of section 3 of the Destructive Insects and Pests Act, 1914 (II of 1914), the Central Government hereby directs that the following further amendments shall be made in the notification of the Government of India in the late Education, Health and Lands Department, No. F. 16-5(1)/43-A, dated the 10th May, 1943, namely:—

In the said notification (i) after the words "Head of Division of Mycology, Indian Agricultural Research Institute, New Delhi" the words "Forest Mycologist, Forest Research Institute, Dehra Dun" shall be inserted, and

(ii) after the words "Head of Division of Mycology" wherever they occur, the words "Indian Agricultural Research Institute, New Delhi or Forest Mycologist, Forest Research Institute, Dehra Dun" shall be inserted.

[No. F.6-37/51-Dte.I.]

S.R.O. 197.—In exercise of the powers conferred by sub-section (1) of section 3 of the Destructive Insects and Pests Act, 1914 (II of 1914), the Central Government hereby directs that the following further amendments shall be made in the notification of the Government of India in the late Education, Health and Lands Department No. F.320/35-A, dated the 20th July, 1936, namely:—

In paragraphs 3 and 4 of the said notification—

1. After the words "Head of Division of Entomology, Indian Agricultural Research Institute" the words "or the Forest Entomologist, Forest Research Institute, Dehra Dun" shall be inserted;

2 To paragraph 3, the following proviso shall be added namely:—

"Provided that plants, which are infected with living fungi and cultures of living fungi and are imported for the introduction of such fungi or for similar experiments, may be imported without fumigation if they are accompanied by a special certificate from the Forest Mycologist Forest Research Institute, Dehra Dun, that such plants are imported for the purpose mentioned above".

3 To paragraph 4, the following further proviso shall be added:—

"Provided further that in the case of plant breeding materials imported by the Silviculturist Forest Research Institute, Dehra Dun, such fumigation at the prescribed ports shall be dispensed with on the condition that he makes himself personally responsible for the effective disinfection and disinfestation under the supervision of the Forest Entomologist and Forest Mycologist of the Forest Research Institute, Dehra Dun and before release the plants are certified as free from living insects and fungi by the said officers. All such plants shall be packed in such containers as will not permit the insects reaching or leaving the plants and that such containers shall not be opened in any part of India except at Dehra Dun."

[No. F.6-37/51-Dte.I.]

S R MAINI, Dy. Secy.

MINISTRY OF NATURAL RESOURCES AND SCIENTIFIC RESEARCH

CENTRAL ELECTRICITY BOARD

New Delhi the 25th January 1952

S.R.O. 198.—The following draft of an amendment to the Indian Electricity Rules, 1937, which the Central Electricity Board proposes to make in exercise of the powers conferred by section 37 of the Indian Electricity Act, 1910 (IX of 1910), is published, is required by sub-section (1) of section 38 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 7th April 1952.

Any objection or suggestion which may be received from any person in respect of the said draft before the date specified will be considered by the Central Electricity Board. Every such objection or suggestion should be addressed to the Secretary, Central Electricity Board, Ministry of Natural Resources and Scientific Research, New Delhi.

Draft Amendment

In the said Rules, for sub-rule (2) of Rule 1, the following sub-rule shall be substituted, namely:—

“(2) They extend to the whole of India except the State of Jammu and Kashmir”

[No. E1.II-12(29).]

M. R. KALYANARAMAN, for Secy

MINISTRY OF HEALTH

New Delhi, the 22nd January 1952

S.R.O. 199.—Dr. H. N. Bhatt, M. D. Principal, Medical College, Agra has been duly elected as a member of the Medical Council of India by the Senate of the Agra University under clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1933 (XXVII of 1933) with effect from the 15th November, 1951 vice Dr. G. N. Vyas.

[No. F.5-5/51-MI.]

S. DEVANATH, Under Secy.

MINISTRY OF EDUCATION

ARCHAEOLOGY

New Delhi, the 28th January 1952

S.R.O. 200.—The following draft of certain rules which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 15 and section 23 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), is published, as required by the said sub-section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 1st March, 1952.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Rules

In exercise of the powers conferred by sub-section (1) of section 15 and section 23 of Ancient Monuments Preservation Act, 1904 (VII of 1904), the Central Government hereby makes the following rules, namely:—

1. No conferences, meetings, receptions, poetical symposia and other functions of a like nature shall be held in any monument maintained by the Central Government.
2. Any person guilty of a breach of the foregoing rule shall be punishable with a fine which may extend to twenty rupees.

[No. D.7373/51-A.2.]

B. CHATTERJEE, Under Secy.

MINISTRY OF REHABILITATION

New Delhi, the 23rd January 1952

S.R.O. 201.—In exercise of the powers conferred by section 4 of the Displaced Persons (Debts Adjustment) Act, 1951, (LXX of 1951), the Central Government

hereby specifies the following civil courts in the State of Vindhya Pradesh as the Tribunals having authority to exercise jurisdiction under the said Act within the local limits of their respective jurisdictions :—

- District and Sessions Judge, Rewa-cum-Sidhi.
- District and Sessions Judge, Satna-cum-Umaria.
- District and Sessions Judge, Nowgong-cum-Panna.
- District and Sessions Judge, Tikamgarh-cum-Datia

[No. 68(23)/51-Prop.]

D. R. KOHLI, Dy. Secy.

MINISTRY OF TRANSPORT

MERCHANT SHIPPING

New Delhi, the 22nd January, 1952

S.R.O. 202.—in exercise of the powers conferred by section 6 of the Merchant Shipping Laws (Extension to Acceding States and Amendment) Act, 1949 (XVIII of 1949), the Central Government hereby declares that, except as hereinafter provided, a Red Ensign consisting of a red flag with a width one-half of its length and the National Flag of India superimposed in the top quarter next to the staff, shall, with effect from the 1st March 1952, be the proper national colours for all ships registered in India, and for all vessels which are not registered in any British Possession but are owned exclusively by persons domiciled in India or by bodies corporate established in India :

Provided that a Blue Ensign consisting of a royal blue flag, the width being one-half of the length and the National Flag of India superimposed in the top quarter next to the staff, shall be the proper national colours for such ships and vessels as aforesaid which comply with the Regulations annexed hereto and which are authorised by the Commander-in-Chief, Indian Navy, by Warrant under his hand to wear such Blue Ensign.

2. The Notification of the Government of India in the late Ministry of Commerce, No 73-MI(2)/47, dated the 24th December, 1949, shall stand superseded with effect from the 1st March, 1952.

Regulations

Indian Merchant Ships will be allowed to wear the Indian Blue Ensign, plain and undefaced, when the following conditions are fulfilled:—

- (a) The Officer commanding the ship must be an officer on the retired or emergency list of the Indian Navy or an Officer of the Indian Naval Reserve.
- (b) The crew must include (in addition to the Commanding Officer) Officers and men of the Indian Naval Reserve, to the number specified from time to time by Naval Headquarters, but officers on the retired or emergency list of the Indian Navy may be included in the number specified.
- (c) Before hoisting the Blue Ensign, the Officer commanding the ship must be provided with a Naval Headquarters Warrant.
- (d) The fact that the Commanding Officer holds a Warrant authorising him to hoist the Blue Ensign must be noted on the ship's Articles of Agreement.

2. *Failure to fulfil conditions.*—Commanding Officers failing to fulfil any of the above conditions, unless such failure is due to death or other circumstances over which they have no control, will no longer be entitled to fly the Blue Ensign.

3. *Subsidized Merchant Ships.*—Indian merchant ships in receipt of Ministry of Defence (Navy) subvention and exclusively in their service will be allowed to wear the Blue Ensign under Naval Headquarters Warrant with any badge that may be prescribed in the Warrant.

4. In order to ascertain that the above conditions are strictly carried out, the Captain of one of Indian Navy's ships meeting a ship wearing the Blue Ensign may send on board an officer not below the rank of Lieutenant at any convenient opportunity. This restriction as to the rank of the boarding officer in no way limits or otherwise affects the authority or the duties of Naval Officers under Merchant Shipping Acts or in time of war.

5. Applications for permission to wear the Blue Ensign in India merchant ships employed exclusively under the orders of the Ministry of Defence (Navy) should be made direct to the Naval Headquarters by the owners, and for other Indian merchant ships applications should be made through the Director General of Shipping, Bombay.

[No. 73-M.A.(2)/49.]

PORTS

New Delhi, the 22nd January, 1952

S.R.O. 203.—In exercise of the powers conferred by sub-section (1) of section 35 of the Indian Ports Act, 1908 (XV of 1908), the Central Government hereby directs that the following further amendment shall be made in the former Government of Cochin, Public Works Department Notification No. 4, dated the 27th August 1941, relating to the fees for the supply and use of the cranes, namely:—

In the said notification—

In clause (3)—Fees for the supply and use of Cranes, for the existing entries in column 2 against sub-items (i) and (ii) of item II(c), the following entries shall be substituted, namely:—

"(i) Rs. 12-8-0 per crane per hour or part thereof"

"(ii) Rs. 37-8-0 per crane per hour or part thereof"

[No. 6-PII(30)/51.]

New Delhi, the 25th January 1952

S.R.O. 204.—The following draft of certain amendments to the Cochin Harbour Craft Rules, 1947, which it is proposed to make in exercise of the powers conferred by clause (k) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), is published, as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 1st March 1952.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In the said Rules,—

(a) for sub-rule (4) of Rule 4, the following sub-rule shall be substituted, namely:—

"(4) Subject to the provisions of these Rules, every licence in Form A shall be valid up to and inclusive of the 31st December of the year in which the licence is issued".

(b) Sub-rule (2) of Rule 10 shall be omitted.

[No. 6-P.II(89)/51.]

T. S. PARASURAMAN, Dy. Secy

MINISTRY OF WORKS, PRODUCTION & SUPPLY

New Delhi, the 22nd January 1952

S.R.O. 205.—The following draft of further amendment to the Petroleum Rules, 1937 which the Central Government proposes to make in exercise of the powers conferred by section 4 and sub-section (1) of section 29 of the Petroleum Act, 1934 (XXX of 1934), is published as required by sub-section (2) of section 29 of the said Act for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 29th February, 1952.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

For rule 121 of the said Rules, the following rule shall be substituted, namely:—

"121 *Suspension and cancellation of licence.*—(1) Every licence granted under these rules shall be liable to be suspended or cancelled by order of the licensing authority for any contravention of the Act or of any

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rule thereunder, or of any condition contained in such licence or by order of the Central Government if at any time the continuance of the licence in the hands of the licensee is deemed objectionable.

- (2) A licensing authority, other than the Central Government, suspending or cancelling a licence shall record its reasons for so doing in writing.
- (3) A copy of the order containing the reasons for the suspension or cancellation of a licence shall be given to the holder of the licence on payment of a fee of two rupees."

[No. M-104(6)/51.]

A. K. SEN, Under Secy

MINISTRY OF LABOUR

CORRIGENDUM

New Delhi, the 22nd January, 1952

S.R.O. 206.—On page 31 of the *Gazette of India* Part II, Section 3, dated the 5th January 1952, in the order of the Government of India, S.R.O. 26, dated the 27th December 1951, publishing the award of the Industrial Tribunal (Punjab National Bank Dispute) in reference No. 4 of 1951, for the words "Mr. Aggarwal" occurring in line 23 substitute the words "the Bank".

[No. LR-100(8).]

New Delhi, the 22nd January, 1952

S.R.O. 207.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the award of the Chairman, Central Government Industrial Tribunal, Dhanbad, in respect of the application under section 33-A of the said Act, against the management of the Oriental Life Assurance Co. Ltd., Bombay, preferred by Shri Kanayalal Khieram, Inspector, Oriental Life Assurance Co. Ltd.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.

REFERENCE No. 12 OF 1950.

PRESENT:

Shri S. P. Varma, Barrister-at-Law, *Chairman.*

PARTIES:

Shri Kanayalal Khieram, Inspector, Oriental Life Assurance Co. Ltd.

Versus

The Oriental Government Security Life Assurance Co. Ltd. Bombay, represented by Mr. Sohrab Vimadlal, Bar-at-Law, instructed by Mr. S. J. Banaji, Solicitor of Messrs. Ardeshir Hormusji Dinshaw & Co., Bombay.

AWARD

This is an application by Shri Kanayalal Khieram, 16, Chamar Baugh Road, Parel, Bombay, 12, in which he complains that his services with the company had been suddenly terminated from the 1st of March 1951, and that he had not been paid his dues which he claims. He does not mention the section under which he has appeared before this Tribunal. Perhaps it is under Section 33A of the Industrial Disputes Act 1947.

2. His case is that he joined the services of the company in the year 1930. He continued to work as Agent, Cash Collecting Agent, and Inspector till February 1951. The letter terminating his services is dated 22nd February 1951 which is Ex. 1(k) and the other letter from Jalgaon Branch is from the Chief Inspector and it is dated 23rd February 1951 which is Ex. 2(k). In 1942 he was the acting Inspector of the company and then he was transferred to Karachi and in 1943 he was confirmed. He demanded increment in the year 1947 but after partition he was transferred to Bombay and from there he was transferred to Wardha in March 1949. After that he was again transferred to Nasik in 1949. As I have said his complaint is that he has not been allowed increment nor his dues. But the difficulty is that his case cannot be disposed of by this Tribunal. First of all he was an inspector and does not come within the definition of a workman as defined in the Industrial Disputes Act 1947, *vide* Labour Appellate Tribunal of India decision published in 1951, Vol. I, Labour Law Journal, page 167. In the dispute between Raymond and Ford Motor Co. Ltd. Bombay. Moreover his case has not been sponsored by the Union. It is an individual dispute.

3. With regard to the latter point reference may be made to the case reported in 1931, Vol. II, L.L.J., page 88, in the dispute between the India Paint and Colour Varnish Company and their workmen where a number of relevant decisions have been referred to and it was held that an individual case not sponsored by the Union cannot be dealt with by a Tribunal. On both these points, firstly that he is not a workman as defined in the Industrial Disputes Act 1947 and secondly that it is not an industrial dispute, I am afraid, his application must fail and I order accordingly.

This case was heard by this Tribunal at Bombay while the main reference No. 12 of 1950 was going on in the presence of the parties on 11th September 1951.

I give my award in this case in terms aforesaid.

Seal

Central Government's Industrial
Tribunal, Dhanbad.

S. P. VARMA, Chairman,

Central Government's Industrial Tribunal,
Dhanbad.

DHANBAD, the 29th December, 1951.

[No. LRI-90(7)/II.]

N. C. KUPPUSWAMI, Under Secy.

New Delhi, the 22nd January, 1952

S.R.O. 208.—In exercise of the powers conferred by sub-section (1) of section 4 of the Indian Mines Act, 1923 (IV of 1923), and in supersession of their notification of even number, dated the 4th July 1951, the Central Government hereby appoints, with effect from the 16th December 1951, Mr. N. Barraclough, C.B.E., to be the Chief Inspector of Mines for the territories to which the said Act applies vice Shri S. S. Grewal, reverted to the post of officiating Deputy Chief Inspector of Mines.

[No. M-48(11)51.]

New Delhi, the 28th January 1952

S.R.O. 209.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 3 read with sub-section (2) of section 5 of the Minimum Wages Act, 1948 (XI of 1948), the Central Government hereby fixes the minimum rates of wages specified in the Schedule annexed hereto which shall be payable to the casual labour employed under the authority of the Coal Mines Welfare Commissioner, Dhanbad. The proposals regarding the same having been previously published as required by clause (b) of sub-section (1) of section 5 of the said Act.

2. The aforesaid minimum rates of wages shall take effect from the date of this notification.

SCHEDULE

Serial Number	Category of employees	Minimum rate of wages per day		
		Rs.	A.	P.
1	Muzdoor	1	8	0
2	Kaunia (Female worker)	1	4	0
3	Bhisti	2	8	0
4	Blacksmiths			
	(a) First Class	3	0	0
	(b) Second Class	4	0	0
5	Carpenter			
	(a) First Class	3	0	0
	(b) Second Class	4	0	0
6	Fitter or Plumber	5	0	0
7	Assistant Fitter	3	8	0
8	Painter	4	0	0
9	Mason (Bricklayer)	4	0	0

NOTE—The cost of Living Allowance is included in the daily rates.

[No. LWI-24(74).]

P. N. SHARMA, Under Secy.